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Thursday, September 11, 1958

LOK SABHA DEBATES

(Fifth Session)



(Vol. XX contains Nos. 21-30)

**LOK SABHA SECRETARIAT
NEW DELHI**

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LOK SABHA

Thursday, 11th September, 1958

The Lok Sabha met at Eleven of the Clock

[MR. SPEAKER in the Chair]

ORAL ANSWERS TO QUESTIONS

Archaeological Museum at Lothal

{ Shri Ram Krishan:
1140. { Sardar Iqbal Singh:
 { Shri P. K. Deo

Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) whether the scheme for establishing an archaeological museum at Lothal near Ahmedabad has been finalised; and

(b) if so, the details thereof?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): (a) and (b). The proposal to set up a site museum has been accepted in principle, but as the excavations at Lothal have not been completed, the details cannot be worked out yet.

Shri Ram Krishan: May I know by what time the details will be finalised?

Shri Humayun Kabir: We hope that the excavations will be completed by next year, and then we shall complete the details.

Shri Ram Krishan: May I know whether such museums will be established in other parts of the country?

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Shri Humayun Kabir: There are already a number of site museums at important archaeological sites.

Bose Board of Inquiry

{ Shri S. M. Banerjee:
 { Shri N. R. Munisamy:
 { Shri Mohan Swarup:
1141. { Shri Tangamani:
 { Shri Supakar:
 { Shri Sanganna:
 { Sardar Iqbal Singh:

Will the Minister of Finance be pleased to state:

(a) whether the Board of Inquiry headed by Shri Justice Vivian Bose set up on the 5th May, 1958 to enquire into the charges against officers responsible for investments of the Life Insurance Corporation funds in Mundhra concerns have submitted their report;

(b) if so, what are their main recommendations; and

(c) decision taken by Government thereon?

The Deputy Minister of Finance (Shrimati Tarkeshwari Sinha): (a) No, Sir.

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

Shri S. M. Banerjee: May I know whether it is a fact that the report is likely to be submitted on the 15th September and, if so, whether a copy of the report will be laid on the Table of the Lok Sabha?

Shrimati Tarkeshwari Sinha: It is to be submitted by the middle of this month. I cannot say whether it is 15th or 16th, but it is expected that it will be submitted within that period. Of course, the report will be laid on the Table of the House after it is considered by the Government.

Shri Ramanathan Chettiar: May I know whether the report will be published?

Shrimati Tarkeshwari Sinha: If it is laid on the Table of the Lok Sabha, it will be public.

Mr. Speaker: It becomes public property then.

Shri Tangamani: May I know whether the Government have made arrangements for securing the presence of all the witnesses who gave evidence before the Chagla Commission?

Shrimati Tarkeshwari Sinha: I could not understand. Could he repeat the question?

Mr. Speaker: He wants to know whether all the witnesses who were examined by the Chagla Commission would be produced before this Board of Inquiry or Commission?

Shrimati Tarkeshwari Sinha: It depends on the Commission.

Shri Tangamani: Last time, when a question was asked, they said.....

Mr. Speaker: Why should he worry about that now? She will answer it now.

Shrimati Tarkeshwari Sinha: The Commission is an independent body and it depended on them to call any witnesses or to call for any help they needed. The Government did not come in there, and it was dependent on them as to what help they needed.

Shri S. M. Banerjee: May I know whether the ex-Finance Minister, Shri T. T. Krishnamachari, was also called to give evidence?

Shrimati Tarkeshwari Sinha: The Commission has not submitted to us any information, and so, I am not able to say what happened.

Shri Ramanathan Chettiar: Is there any likelihood of any delay in the submission of the report to the Government by the Commission?

Shrimati Tarkeshwari Sinha: I do not think so. There is no reason for that.

National Book Trust

*1142. **Shri D. C. Sharma:** Will the Minister of Education be pleased to state:

(a) the details of the work done so far by the National Book Trust; and

(b) the plan of work to be done during 1958?

The Minister of Education (Dr. K. L. Shrimali): (a) and (b). Statement is laid on the Table of the House. [See Appendix V, annexure No. 23.]

Shri D. C. Sharma: From the statement I find that some books are going to be published which are already published by other persons. May I know if the National Book Trust will avoid this kind of duplication, or, what is the policy in this matter?

Dr. K. L. Shrimali: I would draw the attention of the hon. Member to the Government of India's resolution which explains fully the policy with regard to the publication of books. The Trust proposes to publish books which are cheap and which can easily be accessible to the libraries, educational institutions and the public generally. If the hon. Member would kindly look into the Government of India's resolution, he will see that it fully explains the whole policy with regard to the publication by the National Book Trust.

Shri D. C. Sharma: May I know if the Book Trust will engage itself more on the publication of scientific books which are in short supply in this country than on the publication of books relating to the humanities?

Mr. Speaker: Why should the hon. Member ask about what is contained in the memorandum?

Dr. K. L. Shrimali: The Government of India's resolution gives the whole thing.

Mr. Speaker: So, he can ask any further question apart from what is contained there.

Shri Tangamani: We find in the statement that there is a short term programme and a long-term programme. In regard to the short-term programme, may I know whether some of the books, particularly the book entitled *Kalki* by Dr. Radhakrishnan, will be published in all the regional languages?

Dr. K. L. Shrimali: The hon. Member may kindly send the suggestion to the National Book Trust.

Shri Vajpayee: May I know if there is a proposal to publish a collection of speeches and writings of Netaji Subhas Chandra Bose?

Dr. K. L. Shrimali: The details of the long term programme and the short-term programme have been drawn out by the National Book Trust, and they contain a number of books. I will place both the statements on the Table of the House for the information of the hon. Members.

Indian Mission in Nepal

- *1143. $\left\{ \begin{array}{l} \text{Shri Bibhuti Mishra:} \\ \text{Sardar Iqbal Singh:} \\ \text{Shri Vajpayee:} \\ \text{Shri Panigrahi:} \end{array} \right.$

Will the Minister of Defence be pleased to state:

(a) whether it is a fact that an Indian Military Mission was sent to Nepal for training and reorganising the Nepalese Army;

(b) if so, the number of persons sent;

(c) the work done by them so far; and

(d) whether it is a fact that some of them will stay back to constitute an Advisory Group?

The Deputy Minister of Defence (Sardar Majithia): (a) Yes, Sir, in April 1952.

(b) 138.

(c) The Mission has very nearly completed the task of reorganisation of the Nepalese Army and also made substantial headway in the training programme.

(d) Yes, Sir. With effect from the 16th July 1958 the Mission has been replaced by an "Indian Military Training Advisory Group" and the strength has been considerably reduced.

श्री बिभूति मिश्र : मैं जानना चाहता हूँ कि जो इंडियन मिलिटरी मिशन नेपाल में सिलाने के लिये गया था, उस के ऊपर अब तक भारत सरकार का कुल कितना खर्च हुआ है ?

Sardar Majithia: The expense of this Mission borne by the Government of India has been Rs. 14 lakhs in 1952-53; Rs. 11 lakhs in 1953-54; Rs. 10 lakhs in 1954-55; Rs. 10 lakhs in 1955-56; and Rs. 4 lakhs in 1956-57, up to November.

श्री बिभूति मिश्र : मैं जानना चाहता हूँ कि अब तक नेपाल के विभिन्न प्रदेशों में किस किस तरह के प्रादमियों को किस किस प्रकार की शिक्षा दी गई है ?

Sardar Majithia: As has been mentioned in the answer, it was for the reorganisation, and bringing the Nepalese army up to the Indian standards and that work has been completed. It was, therefore, that the Mission has now been, at the Nepalese Government's request, changed over from "Mission" to this "Advisory Group", and the numbers have been reduced.

Shri Vajpayee: May I know if it is not a fact that the Government of Nepal announced the return of the Indian Mission suddenly and unexpectedly without previously informing the Government of India and that it resulted in creating some misunderstanding between the two Governments?

Sardar Majithia: That is not a fact. As a matter of fact, the greatest of cordiality exists between the Governments of Nepal and India.

Shri Vajpayee: Sir, my question has not been replied to.

Mr. Speaker: The question consisted of many parts, and he replied to one part.

Shri Vajpayee: What about the other part?

Mr. Speaker: Why should he include all the three parts in one question? The hon. Member evidently wants to know if the Mission of its own accord, without any previous intimation or orders from the Government, came away.

Sardar Majithia: I have replied to that—that is not a fact.

Shri Bose: May I know if the expenditure incurred, as mentioned by the hon. Minister, includes the usual salary, food and uniform expenditure which we incur here in India?

Sardar Majithia: That is true. The expenditure incurred so far by the Indian Government was on all subjects excepting for the accommodation and transport of these people in Nepal which was borne by the Nepalese Government.

Shri P. C. Bose: The actual additional expenditure I want.

Sardar Majithia: As I have said, the additional expenditure on transport and accommodation in Nepal has been borne by the Nepalese Government.

Kutab Minar

*1144. { **Shri Bhakt Darshan:**
Shri Naval Prabhakar:

Will the Minister of Scientific Research and Cultural Affairs be pleased to refer to the reply given to

Starred Question No. 2032 on the 6th May, 1958 and state:

(a) whether the work regarding electrification of Kutab Minar has since been completed; and

(b) if so, the total amount of expenditure incurred on it?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): (a) and (b). The electrification of the interior of the Minar has been completed at a cost of about Rs. 11,000.

Some Hon. Members: In Hindi also.

Mr. Speaker: Yes.

श्री हुमायूँ कबिर : (क) और (ख).
 मीनार के भीतरी हिस्से में बिजली लगाने का काम पूरा हो गया है, इस से अन्दाज़न ₹१,००० रुपये खर्च हुए हैं।

श्री भक्त दर्शन : श्रीमन्, मैं यह जानना चाहता हूँ कि इस कुतब मीनार को बिजल से सुशोभित करने का जो सुझाव सन् १९५६ में दिया गया था और पिछले मालनीय मंत्री डा० श्रीमाली जी ने यह बतलाया था कि २६ नवम्बर सन् १९५७ से काम शुरू होगा तब उस में इतनी देरी क्यों लगी ?

Mr. Speaker: It is completed now.

श्री भक्त दर्शन : मैं जानना चाहता हूँ कि जब मुझे डा० श्रीमाली जी ने यह जवाब दिया था कि २६ नवम्बर, सन् १९५७ को काम प्रारम्भ किया गया और १५ जनवरी सन् १९५८ तक यह पूरा हो जायेगा जबकि उस में इतनी देरी लग गई तो ऐसे छोटे छोटे कामों में यह इतनी देरी क्यों हो जाती है ?

Shri Humayun Kabir: The interior lighting has been completed. Certain decorative lighting has not yet been completed, because it is a new type of flood lighting which will be undertaken and that will take some time to be completed.

Disputes over Water Scarcity in Delhi

*1145. **Shri Radha Raman:** Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that some cases of serious quarrels and murder have occurred in Delhi in water scarcity areas while securing water from Municipal taps;

(b) if so, their number and persons injured or murdered during 1958 so far; and

(c) action taken by Government in this connection?

The Minister in the Ministry of Home Affairs (Shri Datar): (a) Yes.

(b) and (c). There were three cases of quarrel in which three persons were injured and one person was killed. The accused were challaned. Two cases are *sub-judice* and in the third case the parties compromised.

Shri Radha Raman: May I know whether the new policy of the Corporation is that the public hydrants should be closed and if so whether this experience (quarrels at public hydrants) has made any change in their policy?

Shri Datar: I am not aware of any such decision by the Corporation. In fact, the proposal is to augment and improve the distribution system by giving more private connections and increasing the pressure of water in public hydrants.

Shri Radha Raman: I am not talking of private connections.

Mr. Speaker: He referred to hydrants also.

Shri Radha Raman: May I know if the Government will ascertain whether more public hydrants are being put up because of this experience?

Mr. Speaker: It is a suggestion for action.

Shri P. C. Bose: May I know how many persons were taking water at the same time from this public hydrant?

Shri Datar: I cannot give the exact number, but the quarrel arose between two children between 8 and 10 years. Then other persons came in, fought among themselves and the injury was caused.

Shri S. M. Banerjee: The hon. Minister has just now stated that one man was killed. May I know whether the Government propose to pay any compensation for that, because the whole situation arose on account of the failure of the Government?

Mr. Speaker: I am not going to allow this. It may be an absolute brawl, a street matter. Does the hon. Member suggest that we must take the responsibility of imposing taxes on the public and distributing money to every man who quarrels? Every hon. Member is responsible; we are imposing obligations upon the Government. Let the matter be settled and at a particular stage, if there is great injury, it may be asked in this House. Otherwise, let there be no suggestions that every man who quarrels and receives injury should get some compensation.

Shri S. M. Banerjee: I am talking of death.

Mr. Speaker: Death also is due to various causes. Hon. Members impose obligations here, impose taxes and get all the odium outside.

Hathibari Limestone Mines

*1147. **Shri Supakar:** Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) the time by which the limestone mines in Hathibari will be ready for supply to Rourkela Steel Plant; and

(b) the causes of the delay?

The Parliamentary Secretary to the Minister of Steel, Mines and Fuel (Shri Gajendra Prasad Sinha): (a) and (b). Mining of limestone at Hathibari has already started on a small scale. Fully mechanised mining is expected to commence from the middle of 1960.

Shri Supakar: May I know the distance of this place from the steel project?

Shri Gajendra Prasad Sinha: I require notice to give the exact distance.

Shri Supakar: May I know if it has been found that the limestone to be supplied from this place is not of a high quality and if so, how does it compare with the limestone of the neighbouring area which is supplied to the Tata Iron and Steel Company and other steel companies?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): This limestone is of a fairly good quality and it is quite near the place where the steel plant is situated. Actually this place may be about 15 or 20 miles from the steel works.

Shri Supakar: We were told the other day that high grade limestone for the Rourkela plant will come from some place in U.P. If that is so, what percentage of limestone for the Rourkela plant will come from U.P.?

Sardar Swaran Singh: It was suggested by an hon. Member in the course of putting a question. That suggestion was never accepted by me.

Development of Agartala

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*1150. { **Shri Dasaratha Deb:**
 { **Shri Bangshi Thakur:**

Will the Minister of **Home Affairs** be pleased to state:

(a) steps taken to implement the Second Plan programme so far as it relates to the development and construction of the town of Agartala, Tripura;

(b) whether it is a fact that due to heavy influx of displaced persons in this town, such development has become urgent; and

(c) if so, what steps will be taken to expedite implementation of the Plan programme?

The Minister in the Ministry of Home Affairs (Shri Datar): (a) Schemes relating to important items of civic amenities such as water-supply, drainage, roads, and development of a municipal market, in Agartala are being pursued actively. Some of these schemes have already been approved and work thereon is actually in progress. Besides this general programme, some schemes have also been undertaken by the Rehabilitation Department of the Administration on account of the heavy influx of displaced persons in this area.

(b) It is true that the heavy influx of displaced persons into Agartala has considerably affected the complexion and urgency of the work of development in the town.

(c) Every possible effort will be made to implement the schemes-included in the Second Five Year Plan during the plan period.

Shri Dasaratha Deb: May I know the estimated cost of the development works?

Shri Datar: The estimated cost is different under different heads. So far as drainage is concerned, it may cost about Rs. 72 lakhs. Water-supply may cost roughly Rs. 17 lakhs; roads, etc. Rs. 1.30 lakhs; town hall Rs. 1 lakh. In the Rehabilitation Department, roads in Ram Nagar may cost about Rs. 1.20 lakhs and the market at Maharajaganj may cost about Rs. 4.35 lakhs.

Shri Dasaratha Deb: May I know if the Government is aware that even now in more than 50 per cent cases of latrines, mehtar service has not been used and it is telling on the health of the people?

Shri Datar: The hon. Member's grievances will be removed when the drainage scheme is put into operation.

Shri Bangshi Thakur: Is there any committee or body to implement the Second Plan programme?

Shri Datar: Some of the schemes are being implemented by the municipality and others by the administration.

Shri Dasaratha Deb: May I know whether the Government received any memorandum from the Agartala Citizens Committee recently and if so, what steps are being taken in regard to it?

Shri Datar: I am not aware of that.

Shri Bangshi Thakur: During the Maharaja's period, there was a plan to extend the Agartala town towards the Kunjaban hills to get rid of the congestion. May I know whether Government is willing to pursue that plan?

Shri Datar: Government will pursue all plans that are necessary for proper expansion.

* Primary and Middle Schools

*1183. **Shri Vajpayee:** Will the Minister of Education be pleased to lay a statement showing:

(a) the names of primary and middle schools which have been disaffiliated by the Directorate of Education in the Union Territory of Delhi this year;

(b) the reasons for their disaffiliation;

(c) the arrangements made for the admission of students belonging to these schools in other institutions; and

(d) the steps taken to relieve the distress of the teachers of these schools due to non-payment of their salaries?

The Minister of Education (Dr. K. L. Shrimali): (a) to (d). A statement is laid on the Table of the Lok Sabha. [See Appendix V, annexure No. 24.]

Shri Vajpayee: May I know if the Central Government are aware of the steps recently taken by the U.P. Government in this regard?

Dr. K. L. Shrimali: With regard to this position, I hope the hon. Member

is aware that the University Grants Commission fixed up certain scales for the teachers of the constituent colleges.....

Shri Vajpayee: My question is No. 1151.

Urdu

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 *1151. { **Shri Vajpayee:**
 Shri Jadhav:
 Shri Sarju Pandey:
 Shri Mohammed Tahir:

Will the Minister of Home Affairs be pleased to state:

(a) whether the Central Government have issued any directive to certain State Governments and Union Territories with regard to the position of Urdu language in education and administration; and

(b) if so, the nature of action taken by the State Governments/Union Territories in the matter?

The Minister of Home Affairs (Pandit G. B. Pant): (a) The statement of the Government of India regarding Urdu, copy of which is laid on the Table of the House. [See Appendix V, annexure No. 25.] was sent to the Governments of Uttar Pradesh, Bihar and Punjab with instructions to the Chief Commissioner of Delhi and they were asked to inform the Central Government of the action taken for the implementation of the specific points stated in paragraph 5 of the statement.

(b) The Government of Uttar Pradesh and the Delhi Administration have intimated that necessary instructions have been issued for their implementation.

Shri Vajpayee: May I know if the Central Government is satisfied with the steps recently taken by the U.P. Government in this regard?

Pandit G. B. Pant: Will he please repeat the question?

Mr. Speaker: He wants to know whether this Government is satisfied

with the action of the U.P. Government. It is rather difficult for the Government to answer. The hon. Member may ask how far these suggestions have been implemented.

Pandit G. B. Pant: The U.P. Government have issued a communique unreservedly accepting the policy and the instructions contained in the statement to which I have made reference. As I have said, if in any place there is any occasion for complaint, then they will set it right. They have fully accepted the policy.

Shri Vajpayee: With regard to facilities mentioned in this statement, item No. 3 says "Facilities for instruction in Urdu should also be provided in the secondary stage of education". May I know whether it would mean that the education at secondary stage will be provided through the medium of Urdu or education will be given in Urdu at the secondary stage?

Mr. Speaker: Both mean the same thing. The hon. Member evidently wants to know whether it is taught as a language or it will be the medium of instruction.

Pandit G. B. Pant: So far as teaching of Urdu as a language is concerned, it can be taught as a language in every school, whether there are a few boys or many more boys. In these places it is not a question of Urdu language only being taught, but of Urdu medium being used where, according to the decisions of the Education Ministers' Conference the number of Urdu-knowing boys comes to the minimum fixed by that Conference.

Shri P. S. Daulta: Is the Government aware that in Punjab the entire revenue records are kept in Urdu and the Patwaris know only Hindi, with the result that the Revenue Department has been paralysed and the Punjab Government is not caring for any instruction from this Government that facilities should be given to those people for learning Urdu there?

Pandit G. B. Pant: I have received no intimation to the effect that the

Revenue Department in Punjab has been paralysed.

Shri Jadhav: May I know in how many schools Urdu is being taught in primary classes?

Pandit G. B. Pant: Well, I hope it is being taught in every State in which there are Urdu-speaking boys who need education in Urdu and whose number exceeds or come to the number laid down for the purpose.

Acquisition of Lands for the National Coal Development Corporation

*1152. **Shri Panigrahi:** Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) whether the National Coal Development Corporation has been given possession of lands in the coal bearing areas of the country acquired under the Coal Bearing Areas (Acquisition and Development) Act, 1957; -

(b) whether the Corporation contemplates prospecting in any coal bearing area in Orissa; and

(c) whether the Corporation has started opening new coal mines in the country?

The Parliamentary Secretary to the Minister of Steel, Mines and Fuel (Shri Gajendra Prasad Sinha): (a) The Corporation has been given possession of lands and mining rights in the following coal bearing areas in Bihar:—

(i) Kathara.

(ii) Saunda-Gidi.

(iii) Bachra.

(b) Yes. Prospecting has been started in Balanda area.

(c) Yes.

Shri Panigrahi: May I know whether any assessment has been made as to the coal-bearing areas which will be available for acquirement by the National Coal Development Corporation for the remaining two years of the Five Year Plan?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): Actually, it is not a roving acquisition of any coal-bearing areas that might be available. So far as production plans are concerned, they relate to definite areas and the mining rights will be acquired in those areas. Detailed statements about them are given on the floor of the House from time to time when we refer to development plans.

Shri Panigrahi: May I know whether any sum has been allocated for developing the coal bearing areas which will be acquired by the National Coal Development Corporation?

Sardar Swaran Singh: So far as these three areas, about which reference was made by my colleague, are concerned, work has already started.

Shri Jaipal Singh: May I know whether any compensation has been given so far to the people whose lands have been acquired in those three areas?

Mr. Speaker: You want information about compensation?

Shri Jaipal Singh: As you will remember, this is an extraordinary piece of legislation empowering the Government to take possession of coal-bearing areas without any regard to compensating the people first. In view of the fact that three areas have been assigned to this Corporation, I want to know whether any compensation in any form has been paid to the people affected?

Sardar Swaran Singh: The amount of compensation is being determined by the competent authority and steps are being taken to expedite the payment.

Shri Bose: May I know whether the Corporation is in touch with the Geological Survey of India to get information about new coal-bearing areas?

Sardar Swaran Singh: Yes, that contact is there.

Coal Export

*1153. { **Shri Raghunath Singh:**
Sardar Iqbal Singh:

Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) whether it is a fact that India is losing fast coal export markets as a result of Chinese competition; and

(b) if so, the reasons therefor?

The Parliamentary Secretary to the Minister of Steel, Mines and Fuel (Shri Gajendra Prasad Sinha): (a) No. Ceylon is our only principal export market which has turned to China for meeting an appreciable portion of its coal requirements during 1958.

(b) The reasons are not clear, but it is believed that the coal is being received against the supply of Ceylonese rubber to China.

श्री रघुनाथ सिंह : अभी माननीय मंत्री जी ने सीलोन के बारे में बताया। साउथ ईस्ट एशिया के देशों में आज से करीब आठ दस वर्ष पूर्व हिंदुस्तान का कोल काफी तादद में बाहर जाता था। लेकिन अब चाइनीज कोल उन देशों में ज्यादा जा रहा है और हिंदुस्तान के कोल में सस्ता पड़ता है, और सीलोन में भी जा हमारा कोल जाता है उससे भी चाइना का कोल सस्ता पड़ता है। मैं जानना चाहता हूँ कि इसका क्या कारण है ?

श्री गजेंद्र प्रसाद सिन्हा : सीलोन के जाने में कुछ कमी हुई है। इस की वजह यह है कि सीलोन और चाइना की गवर्नमेंटों में रबर लेने की बात तै हुई है और उसी सिलमिले में कोयले के लेने की बात तै हुई है। इसीलिये वहाँ चीन से कोल जाता है। दूसरे देशों में हमारे कोल के जाने में ऐसी कमी नहीं हुई है। जो भी हम पहले भेज रहे थे वह अब भी भेजते हैं।

श्री रघुनाथ सिंह : मैं जानना चाहता हूँ कि वर्ल्ड मार्केट में चाइनीज कोल का दाम

क्या है और हिन्दुस्तान के कोल का दाम क्या है ?

इस्पात, लान और इंधन मंत्री (सरदार स्वर्ण सिंह) : हर देश में जहाँ सप्लाई होता है भाव मुस्तलिफ है ।

Mr. Speaker: Apart from freight, the hon. Member has some information that our export to Eastern countries of coal has gone down. The hon. Parliamentary Secretary has replied that the facts do not show that. The hon. Member wants to pursue the matter and wants to know whether the price of Chinese coal is lower than the price of Indian coal.

The Minister of Steel, Mines and Fuel (Sardar Swarn Singh): With regard to the price of coal in the export market, like the prices of many other export commodities, it all depends upon the country to which the exportable commodity is supplied and the conditions prevailing there. There is no fixity about the export price to the exporting countries. The foreign exchange problem can always modulate the export price. For instance, the price at which we are exporting sugar is different from the price that obtains inside the country.

Mr. Speaker: Hon. Members are anxious and they want to know the position. Of course, they require it only for the purpose of helping the Government. They want to find out whether there can be greater export in which case it will be a valuable material. I do not know whether the Minister or his Ministry is watching whether at the exporting centres, apart from freight, the price of coal is less than the price here, in which case certainly some steps have to be taken to find out why the price is high here. A mere general statement that it varies from time to time only gives the impression that there is a chaotic condition regarding export.

Sardar Swarn Singh: I do not think that there is any such thing as chaotic condition, if I may respectfully point out.

Mr. Speaker: If the hon. Minister does not know, he may say that he does not know. If he knows what the prices are or if their prices are lower than ours, he may say so.

Sardar Swarn Singh: So far as the prices of export commodities are concerned, they are not a published thing, in regard to supplies made by other countries. So far as the contracts of supply of any commodity by one country to another are concerned, they are not always published and it is not always possible to get the prices just as the prices at which we supply many of our commodities are not known outside.

Shri Tyagi: Are the Government sure that Ceylon has switched on for their supply of coal from India to China purely on account of exchange of rubber? Is it not also on account of difference in price, i.e., because our coal costs them higher than the coal supplied by China?

Sardar Swarn Singh: It is very difficult to say because that is essentially a barter agreement. The price at which the commodity that Ceylon is supplying to China is valued is more a conjectural matter rather than a basis for exact judgment.

Shri Kashiwal: May I know whether Pakistan has taken the same amount of coal from us this year as it took last year?

Shri Gajendra Prasad Sinha: Yes, Sir, Pakistan is taking the same amount of coal. We are expecting to export the same amount of coal which we have exported in the past. It is a different thing if they have also entered into a contract with the Chinese Government. By that contract our coal export to Pakistan, is not going to suffer. At the same time, about our supply to Ceylon, we cannot say that we have lost the market in Ceylon. Coal supplied to Ceylon for railway purposes, as far as our report goes, is not of good variety and there might be some more changes.

Shri Bimal Ghose: What I want to know from the hon. Minister is whether the Government is aware of the prices at which Chinese coal may be imported in any of the markets where we also export.

Sardar Swaran Singh: There is no bar for China, or for the matter of that for any other exporting country, to quote prices in the market to which we might be normally supplying, just as there is nothing to prevent us from quoting any prices.

Shri Prabhat Kar: May I know....

Mr. Speaker: I am prepared to allow a half-an-hour discussion on this.

Shri Raghunath Singh: Yes, Sir.

Mr. Speaker: When we are having export trade, we have to find out the price of the competing country from where the article comes in a particular market. Sitting as I do here, I find it rather strange that that is not studied. Hon. Members may find it stranger still.

Shri Raghunath Singh: The whole Asian market is being captured by Chinese coal.

Mr. Speaker: I am prepared to allow a half-an-hour discussion.

Training of Tripura Officers

*1154. **Shri Ghosal:** Will the Minister of Home Affairs be pleased to state:

(a) whether the sub-divisional officers of Tripura Administration have been undergoing training in Uttar Pradesh; and

(b) if so, their number and from what date?

The Minister in the Ministry of Home Affairs (Shri Datar): (a) and (b). One sub-divisional officer of the Tripura Administration has been deputed for undergoing training for a period of one year under the Government of Uttar Pradesh with effect from May 24, 1958.

Shri Aurobindo Ghosal: In view of the fact that Bengali is the regional language in Tripura, may I know if the Tripura Administration wanted to have training in West Bengal? If so, why permission was not granted to them?

Shri Datar: We had addressed certain enquiries to the major States and the U.P. Government was kind enough to admit three persons one after the other in this respect. That is why the officer has been sent to U.P.

Shri Tridib Kumar Chaudhuri: May I know if the Government addressed any letter to the West Bengal Government and whether the West Bengal Government refused to give such training?

Shri Datar: I am not aware of that.

Central Food Technological Research Institute, Mysore

*1156. **Shri Hem Raj:** Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) whether any concentrated food has been worked out at the Central Food Technological Research Institute, Mysore; and

(b) if so, the steps taken by Government to popularise it?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): (a) Yes Sir. The Central Food Technological Research Institute has produced a cheap, protein-rich product known as the Indian Multipurpose Food based on low-fat groundnut flour and certain pulses and fortified with essential minerals and vitamins.

(b) A statement is laid on the Table of the House. [See Appendix V, annexure No. 26].

Shri Hem Raj: From the statement I find that an association called "Indian Meals for Millions Association" has been formed. May I know whether it is going to produce this food on commercial basis and what is the amount of food that it is producing?

Shri Humayun Kabir: At present it is being produced in a pilot plant and the production is about half a ton per day. There are certain proposals for expanding the production. There is a proposal by the Mysore Government and also by the Corporation of Madras. There has also been a suggestion that we may get some international assistance from the UNICEF for setting up a plant which may produce about five tons a day.

Shri Hem Raj: What will be the saving per day of foodgrains by the popularisation of this food?

Shri Humayun Kabir: I cannot give a reply to that question. I can only say that according to our calculations one ounce of this product costing about four naye paise will supply the consumer with substantial quantities of proteins, minerals, fat soluble vitamins and riboflavin in which the diet of an average Indian is often deficient.

Distillation of Liquor in Manipur

*1157. **Shri L. Achaw Singh:** Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that the Advisory Board constituted by the Manipur Administration has unanimously recommended for immediate stoppage of the distillation of liquor at Shengmai and other places in Manipur; and

(b) if so, the steps taken by the Manipur Administration to implement the recommendation?

The Minister in the Ministry of Home Affairs (Shri Datar): (a) and (b). No Advisory Board as such was constituted by the Local Administration in this connection. Some representatives of the public, however, were invited by the Chief Commissioner in last April, and consulted on the question of stopping the manufacture and sale of distilled country liquor for which licences are issued under the Excise Act in force in the territory. All these persons excepting one recommended the stoppage of the present

practice of granting such licences, and the proposal received from the Local Administration in this regard is under Government's consideration.

Shri L. Achaw Singh: May I know whether any steps have been taken to stop the manufacture of liquor at Shengmai in view of the fact that this particular liquor is very injurious to public health?

Shri Datar: That question is also under consideration. That is what I have stated.

Fish

*1158. **Shri Assar:** Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) whether it is a fact that fish obtained on the Mahul-Trombay coast smell on account of contamination with effluent oil discharged by the oil refineries there;

(b) whether it is a fact that the consumption of fish of that area has become harmful for health;

(c) whether Government are aware of the difficulties experienced by the fishermen of that area on this account; and

(d) if so, what action Government propose to take in the matter?

The Parliamentary Secretary to the Minister of Steel, Mines and Fuel (Shri Gajendra Prasad Sinha): (a) to (d). No complaints of this nature had been received by Government. The facts are being ascertained from the State Government and a statement will be laid on the Table of the House as soon as possible.

Shri Bimal Ghose: I rise to a point of order, Sir. It is rather strange that for ten days they could not get an answer from the State Government of Bombay.

Mr. Speaker: How can they help if the Bombay Government does not respond?

Shri Bimal Ghose: Then they can say that the Bombay Government does not respond.

Shri Gajendra Prasad Sinha: Therefore, we have said that the moment we get the information from the Bombay Government we will place it before the House.

Shri V. P. Nayar: Around the same site there is a Fishing Corporation established by the Central Government. I want to know whether the Ministry of Steel, Mines and Fuel has consulted the Agriculture Ministry at the Centre in this matter of fishing.

Shri Gajendra Prasad Sinha: I have already stated that no such complaint has come from any source and naturally unless we get information from the Government of Bombay, it will not be proper to initiate any enquiry.

Boundary Disputes

*1159. **Shri Pangarkar:** Will the Minister of Home Affairs be pleased to state:

(a) whether the boundary dispute between Bombay and Mysore has been referred to the Western Zonal Council; and

(b) if so, when it is expected to be discussed and finalised by the Council?

The Minister of Home Affairs (Pandit G. B. Pant): (a) One of the concerned state Governments has recently suggested the inclusion of this item in the agenda of the next meeting of the Western Zonal Council.

(b) The date of the next meeting of the Zonal Council has not yet been fixed. The matter is likely to come up before the Council at its next meeting.

Shri Vajpayee: May I know if the talks between the Chief Minister of Mysore and the Chief Minister of Bombay had failed and if so, what steps the Central Government propose to take to settle the matter?

Pandit G. B. Pant: I met the Chief Ministers of Bombay and Mysore only three days ago and I do not think that the talks have failed.

Shri B. K. Galkwad: Will you kindly let us know the result of the talks?

Pandit G. B. Pant: They are continuing.

Training in Cottage Industries in Orissa

*1162. **Shri B. C. Mullick:** Will the Minister of Home Affairs be pleased to state:

(a) the number of persons who are proposed to be trained in the State of Orissa under the Centrally sponsored scheme for training of Backward Classes in Cottage Industries;

(b) the number of persons who have been trained so far under the scheme; and

(c) the number of persons who are to be trained during the rest of the Second Five Year Plan?

The Deputy Minister of Home Affairs (Shrimati Alva): (a) to (c). The required information is being obtained from the State Government and will be laid on the Table of the House as soon as received.

Shri B. C. Mullick: May I know what amount of money has been allocated for Orissa under the Second Plan for this training?

Shrimati Alva: I do not know how this question arises. He is asking information about how many trainees have gone for training in Orissa.

Shri B. C. Mullick: I want to know the amount of money allocated to the Orissa State.

Shrimati Alva: I have not got that figure.

Shri Panigrahi: May I know whether any training institute has been opened in Orissa for giving training to these Scheduled Caste students?

Shrimati Alva: There is a training institute. We have figures for 1957 and 1958. The Orissa State has submitted the figures, 59 Scheduled Tribes and 42 Scheduled Castes, none from the other backward classes. These figures do not tally with the figures submitted by the Commissioner for

Scheduled Castes and Tribes. That is why we have referred the matter again to the State. We are expecting a report from them.

Shri B. C. Mullick: May I know what is the total money that has been allocated for this training in the Second Plan for all the States—not for Orissa.

Shrimati Alva: I have not got that figure.

Shri Thimmaiah: May I know whether there are separate training centres for backward classes people? If not, when there are cottage industry training centres in the Industry Ministry also, how is this money adjusted between the Home Ministry and the Industry Ministry?

Shrimati Alva: In the Second Plan, all this expenditure is earmarked in the separate Ministries.

Shri Panigrahi: May I know whether there is any other proposal for setting up any more training Institute in Orissa specially for backward classes and tribes?

Shrimati Alva: We are awaiting a report from the State Government and only then, we shall know.

**Messrs. Indian Steel Works
Construction Co. Ltd.**

*1163. **Shri Morarka:** Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) whether a sum of approximately Rs. 14 crores is to be paid to Messrs. Indian Steel Works Construction Co. Ltd.;

(b) if so, the nature of the services to be rendered; and

(c) the basis on which the amount was fixed?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) to (c). A statement is laid on the Table of the House. [See Appendix V, annexure No. 27.]

During the course of the supplementary questions on Starred Question No. 847 in the Lok Sabha on 3rd September, 1958, the Hon. Speaker had desired that I should clarify the difference between the services rendered by the Indian Steel Works Construction Company and those rendered by the Consultants, namely, the International Construction Company. This has been done in this statement.

Shri Morarka: If you will kindly look at the statement placed on the Table, you will notice that there are seven types of services to be rendered by this firm for which we would be paying Rs. 14,12,52,000. In these seven numbers, items 3, 4 and 5 say, for setting up an organisation for rendering some service. I would like to know from the Minister what are the actual services that these people would be rendering for this sum of Rs. 14 crores.

Sardar Swaran Singh: The services which are mentioned in the clauses that I have indicated.

Mr. Speaker: That is also a service.

Shri Morarka: If you have the statement before you, Sir....

Mr. Speaker: No, no. I am not deciding any issue. The hon. Member, wherever he has a doubt, may put a question. The hon. Minister will answer. I am not here to decide as to whether the answer is correct or not correct.

Shri Morarka: The point is, in the statement it is said that these Engineers would render 7 types of services. Item 3 says: "technical and administrative organisations of member companies in Durgapur for the major sections of the plant". Item 2 says "central technical and administrative organisations of the Company in Durgapur and in Calcutta." I do not know what the services are there. The Engineers are creating an organisation. It is all right. What services would they render? We are paying Rs. 14 crores and 12 lakhs.

Mr. Speaker: He wants further details regarding this kind of service. That is the question. He is putting a question as to what are the services for which about Rs. 14 crores are paid to them. A list has been given. From the list, one of the items is not clear as to what is the kind of service. If the hon. Minister is in a position to say, he will say. Otherwise, he will give a supplementary note if it is possible.

Sardar Swaran Singh: I think I have given three pages. If there is any specific point about which he wants further information, let him, on the basis of it, table another question. I will give further details.

Shri Morarka: In the statement it is mentioned that in Rourkela and Bhilai, charges for similar services are either the direct responsibility of the project authorities or they are included in the charges. May I know who are the project authorities, whether they are Indians or a foreign firm who would be rendering similar service to these two plants?

Sardar Swaran Singh: If they are rendered by the suppliers, then the cost element goes into the price that we pay to the supplier. If they are rendered by the project authorities, namely Indian authorities, which are in charge of the construction part, then, that will be a liability which will be borne by the Indian project authorities.

Shri Ramanathan Chettiar: What are the impelling reasons that made the Government agree to give a part of the amount that is about Rs. 4 crores in sterling especially when we are passing through a foreign exchange crisis?

Sardar Swaran Singh: Because we cannot get that from inside the country.

Shrimati Renu Chakravartty: Are we to understand that the hon. Minister will give us a more detailed explanation?

Sardar Swaran Singh: No.

Mr. Speaker: All that he said was, he has given a statement in reply to this question covering three pages.

Some Hon. Members: Two pages.

Mr. Speaker: Two pages—it is only one less. Any hon. Member, if he or she has any doubt, they may well put a question.

Shrimati Renu Chakravartty: Again we have to wait for ten days.

Mr. Speaker: I am sure with respect to such a statement, they need not wait. If they write to the hon. Minister, he may say.

Shri V. P. Nayar: Would you also direct that in such cases where long statements are to be laid on the Table of the House, half an hour's time is given? We have so many statements today. It is impossible to study the statements and put questions. If they were given an hour ago, we may be possibly able to read.

Mr. Speaker: I agree. They need not put questions today. They may put the questions some other day. Let them study and put questions. What is the object of giving a statement? It is not an examination hall, *visa voce*.

If any hon. Member puts down in his question, "Arising out of statement" I will try to give preference to that question and admit it because it arises out of the statement. A question may be put on that very day itself and I will try to admit it. Next question.

Sir Salarjung Museum in Hyderabad

*1164. **Shrimati Laxmi Bai:** Will the Minister of Scientific Research and Cultural Affairs be pleased to state whether any financial aid is proposed to be given to Sir Salarjung Museum in Hyderabad?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): Government have under consideration a proposal to take over the

Museum and develop it as a National Museum.

श्री रघुनाथलाल : इस बात को देखते हुए कि सालारजंग म्यूजियम हिन्दुस्तान के बहुत अच्छे म्यूजियमों में से एक है, इस की इमारत को ठीक हालत में रखने के लिये क्या कोई इतिजाम सरकार की तरफ से किया जायगा ?

श्री हुमायून् कबिर : नेशनल म्यूजियम बनने का मतलब यह है कि जो कुछ दरकार होगा उस का इतिजाम किया जायगा ।

Shri Ranga: I could not follow this question and answer.

Shri Humayun Kabir: I told the hon. Member that if the Government take it over as a national museum, whatever is necessary to maintain it as a national museum will be done.

Shri Ranga: Is it not a fact that the Andhra Government has already agreed to the Government of India's proposal and is it necessary for the Andhra Government to make any financial contribution to this?

Shri Humayun Kabir: The Andhra Government have offered to make a financial contribution of about Rs. 5 lakhs towards the cost of the building of the museum.

Shri Jadhav: What fees are charged from the visitors at present?

Mr. Speaker: Such a small detail?

Shri Jadhav: The visitors go there and the fees are very prohibitive. So, action should be taken as soon as possible.

Mr. Speaker: In this museum at Hyderabad?

Shri Jadhav: Yes.

Mr. Speaker: I am not aware.

Shri Humayun Kabir: It is not yet a national museum; so I cannot say at present what fees are charged,

unofficially I have been told that it is about eight annas.

An Hon. Member: One rupee ten annas.

Mr. Speaker: These small matters may be taken up. After it becomes a national museum, possibly it will be less.

Educational Tours of Teachers

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*1166. { **Shri Jadhav:**
Shri Subodh Hansda:
Shri Vasudevan Nair:
Shri Ram Krishan:

Will the Minister of Education be pleased to lay a statement showing:

(a) the total amount that has been sanctioned under the scheme to give grant-in-aid to State Governments and Union Territories for encouraging teachers to visit places of educational, historical, geographical and cultural interest, with break-up of amounts earmarked to each State and Union Territory;

(b) whether the grant-in-aid is meant for Primary teachers or Secondary school teachers also; and

(c) whether any tour has already been organised?

The Minister of Education (Dr. K. L. Shrimali): (a) Rs 25,000 for the current year and Rs 75,000 for the remaining Plan period. These amounts are not earmarked to States and Union Territories separately.

(b) For teachers employed in recognised Elementary schools and teachers and pupil-teachers in teacher training institutions.

(c) No, Sir.

Floods in Jamuna

*1168. **Shri Naval Prabhakar:** Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that Jamuna in Delhi is in spate;

(b) if so, the number of villages affected thereby;

(c) the details of the loss sustained as a result of these floods; and

(d) the nature of assistance given to residents of villages affected by floods?

The Minister of Home Affairs (Pandit G. B. Pant): (a) The hon. Member is presumably referring to the rise in water level of Jumuna on August 26-27, 1958. If so, the water level of Jamuna remained 7 ft. below the danger point.

(b) Five or six villages in between the embankments and the Jamuna.

(c) and (d). There was practically no loss as the villagers were given adequate prior warning. Nor was there any necessity to evacuate any of the villagers as the floods subsided fast. Cattle had already been evacuated from these villages during the time of the earlier flood and so were not affected.

श्री नवल प्रभाकर : क्या मैं जान सकता हूँ कि जो यह मान गांव यमुना और बाघ के बीच में आते हैं उन को बसाने का काम बहुत दिनों से विचारधीन है और वे अभी तक नहीं बसाये जा सके हैं और उन को हर साल जब भी पानी चढ़ता है तो दिक्कत का सामना करना पड़ता है ?

पंडित गो० ब० पंत : इस के लिये जमीन कभी हासिल कर ली गई थी और उन को जगह भी मकान वगैरह के लिये दी गई थी और यह भी कि बिल्डिंग लोन १५०० रुपये की क़ैमिनी दिया जायगा, यह भी था मगर लोग अपने घरों को छोड़ने में बड़ी दिक्कत मानते हैं। इस से गवर्नेमंट मजबूर है। अब जबदेस्ती उन को हटाने का काम तो वह करना नहीं चाहती और उन को जहां तक हो सके समझाने का काम जानी है।

Re-organisation of Delhi Administration

*1169. { **Shri Radha Raman:**
Shri V. C. Shukla:

Will the Minister of Home Affairs be pleased to state:

(a) whether proposals regarding the reorganisation of the Delhi Administration necessitated by the formation of the Municipal Corporation, have since been finalised;

(b) if so, its salient features; and

(c) the steps taken to ensure that work does not suffer as a consequence of this reorganisation move?

The Minister of Home Affairs (Pandit G. B. Pant): (a) to (c). Broad proposals for the reorganisation of the Delhi Administration have been formulated and they are being worked out in detail. These proposals are intended:

(a) to rationalise the set-up of the Secretariat,

(b) to reduce the size of the Secretariat and to provide, to the extent practicable, for the heads of Departments to function directly under the Chief Commissioner without the inter-position of a Secretary, and

(c) to ensure prompt disposal of cases.

Shri Radha Raman: May I know whether this reorganisation scheme of the Delhi Administration will be completed soon? How long will it take?

Pandit G. B. Pant: It need not take long now. I think within a month or two it should be possible to introduce it, but still the entire task of the introduction and implementation of the scheme may take a little longer time.

Shri Radha Raman: May I know whether the accommodation which is

now being used by the Delhi Administration will be falling vacant, and will it be passed on to the Corporation for its expanded work?

Pandit G. B. Pant: I do not think that accommodation is likely to fall vacant. If any accommodation is available and it can be spared, then the question will be considered as to how it could be best utilised.

Shri Radha Raman: What is the economy that is likely to accrue out of the reorganisation scheme which is under contemplation? Is there any idea about it?

Pandit G. B. Pant: It is difficult to give any definite figure just now. As I said, the details are being worked out, and only when the matter has been finalised will it be possible for us to mention a specific and definite figure.

श्री नवल प्रभाकर : क्या मैं जान सकता हूँ कि यह जो पुनर्गठन होगा तो उस में आर्थिक दृष्टि से कितनी बचत होगी ?

Mr. Speaker: He has answered it just now.

पंडित गो० ब० पंत : अब कोशिश तो है, होगी या नहीं, यह तो आखिर म मान्य होगा ।

Shri Vajpayee rose—

Mr. Speaker: I have allowed a number of questions.

Appointment of High Court Judges

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- *1171. { **Shri Ram Krishan:**
Shri Vajpayee:
Shri Panigrahi:
Shri Shivananappa:
Sardar Iqbal Singh:

Will the Minister of Home Affairs be pleased to refer to the reply given to Starred Question No. 1584 on the 10th April, 1958 and state:

(a) whether Government have since considered the question of drawing

up an All India list of suitable persons from whom selection could be made for appointment of the High Court Judges;

(b) if so, nature of the final decision taken; and

(c) whether the State Governments have submitted lists of names for inclusion in such a panel?

The Minister of Home Affairs (Pandit G. B. Pant): (a) and (b). The State Governments have been requested to prepare, in consultation with their Chief Justices, lists of persons suitable for appointment as High Court Judges from among judicial officers and members of the Bar, and to forward these lists to the Government of India. The lists will be referred to the Chief Justice of India before a final list is prepared.

(c) Replies have so far been received from a few States only. Replies from others are awaited.

Shri Ram Krishan: May I know the names of the States which have submitted this list?

Pandit G. B. Pant: West Bengal, Madras, Orissa, Madhya Pradesh and Jammu and Kashmir. These are the States about which I am certain.

Shri Kasliwal: May I know whether the Government of India have issued any directions to the State Governments as to what categories of persons should be recommended for this post?

Pandit G. B. Pant: The categories are already mentioned. They should be members of the Bar or members of the judicial service, and under the Constitution, any one who has not put in at least ten years in judicial service or as an advocate cannot be considered for the High Court Bench.

Shri Vajpayee: The States Reorganisation Commission made some recommendations in regard to the appointment of High Court Judges. May I know if those recommendations have been accepted by the State Governments?

Pandit G. B. Pant: The spirit of those recommendations has been accepted.

Shri Panigrahi: May I know the names of the Judges who have been recommended by Orissa?

Mr. Speaker: Shall we appoint a committee to go into those names? No, no. It is not right.

Pandit G. B. Pant: I do not have them at present, but even hereafter the names will not be published.

Shri Ranga: Is there any maximum number subject to which they have to send in their suggestions? Any maximum like five or ten?

Pandit G. B. Pant: No number has been fixed.

Shri Jaganatha Rao: May I know if any of the persons recommended by any of the States has been appointed so far?

Pandit G. B. Pant: So far as these lists are concerned, we are awaiting lists from the other States, and no final list has yet been prepared.

Shri Hem Raj: May I know whether any percentage has been fixed of the practising lawyers and the Judges to be taken to the Bench?

Pandit G. B. Pant: No percentage has been fixed. The States have been asked to make their proposals so that a final list may be prepared.

Shri Tangamani: May I know whether any direction has been issued to the State Governments, express or implied, prohibiting their sending the names of any members of the Bar merely because they are holding any particular political opinion?

Pandit G. B. Pant: That idea did not strike me.

Sea Customs Act

*1172. **Shri Morarka:** Will the Minister of Finance be pleased to state:

(a) whether the attention of Government has been drawn to the recent

judgment of the Bombay High Court declaring certain sections of the Sea Customs Act as *ultra vires*; and

(b) if so, what action Government proposes to take in the matter?

The Deputy Minister of Finance (Shri B. R. Bhagat): (a) The hon. Member is presumably referring to the judgment of the Bombay High Court on the Miscellaneous Application No. 21 of 1957 in the matter of Aminchand Vallamji & Others Vs. M. G. Abrol & another. In this judgment delivered on 15th May, 1958 the Hon'ble Justice Shri K. T. Desai had held that the provisions contained in Section 178-A must be held to be bad in so far as they relate to gold as violating the fundamental rights guaranteed under Article 19(1)(f) and (g) of the Constitution.

(b) Government have directed the Collector of Customs, Bombay, to file an appeal against the judgment, before the Appellate Bench of the Bombay High Court. The matter is accordingly *sub judice* at present.

Shri Morarka: May I know what practical difficulties, if any, have been created for the Government by this judgment?

Shri B. R. Bhagat: Not much. They have only said that so far as the State of Bombay is concerned, section 178-A may not be applied for the present.

WRITTEN ANSWERS TO QUESTIONS

Scholarships

*1138. **Shri Shree Narayan Das:** Will the Minister of Education be pleased to state:

(a) the number of persons who have so far been awarded scholarships under the Scheme for encouraging the study abroad of foreign languages by Indian nationals;

(b) whether the scheme is continuing;

(c) whether any contact is kept with those who return after study unto the field of work; and

(d) the number of such scholars who are utilising their knowledge of the language in the fields envisaged under the scheme?

The Minister of Education (Dr. K. L. Shrimall): (a) 66.

(b) The question of its continuance is under consideration.

(c) Yes, Sir, all the scholars on return after completion of their studies are required to furnish a report on their studies along with information about their employment.

(d) Fifty-two scholars have so far returned after completion of their studies abroad; out of these 41 scholars are employed in positions where the knowledge gained can be fully utilised.

Children's Museum and Bal Bhawan

*1139. { **Shri Subodh Hansda:**
Sardar Iqbal Singh:

Will the Minister of Education be pleased to state:

(a) the main features of the plan of the children's museum and Bal Bhawan as finally approved;

(b) whether the required plot of land for construction of the building has been acquired by Government;

(c) if so, whether the construction has since started; and

(d) the progress made up-to-date?

The Minister of Education (Dr. K. L. Shrimall): (a) A statement is laid on the Table of the Lok Sabha. [See Appendix V, annexure No. 28.]

(b) Yes, Sir.

(c) The construction of Bal Bhawan has been started but the work on the construction of Children's Museum has not yet commenced.

(d) A part of the construction of Bal Bhawan has been completed.

Import of Iron and Steel

*1146. **Sardar Iqbal Singh:** Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) whether it is a fact that a fall in the imports of Iron and Steel is anticipated in the current year;

(b) if so, the reasons therefor,

(c) whether this fall of import will affect adversely the development programmes of the country; and

(d) if so, in what manner?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) Yes, Sir.

(b) Due to shortage of foreign exchange.

(c) Yes, Sir, to a certain extent.

(d) Although the core projects are not likely to be adversely affected, delay of a year or so on the average is likely in the execution of other projects.

Purchase of Aeroplane by Hindustan Steel (Private) Ltd.

*1148. **Shri V. C. Shukla:** Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) whether an aeroplane has recently been purchased by Hindustan Steel (Private) Ltd.;

(b) the specific reasons necessitating the purchase of an aeroplane by Hindustan Steel (Private) Ltd.;

(c) the details of economy, if any, effected as a result of acquiring this aeroplane; and

(d) the amount of money which has been spent till now on maintaining and running this plane?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) Yes, Sir.

(b) The sites of the three steel plants, particularly those of Rourkela and Bhilai, are not served by regular air services. The train timings are not convenient, and there are strict limits to adjust train timings. A plane was considered essential to provide for quick transport of Directors, Senior Executives of the Company and leading experts to the three steel plants as they have to visit the projects sites very frequently.

(c) The plane was purchased primarily for quick transport.

(d) So far the aeroplane has run for about 100 hours and the cost of flight per hour including the cost of maintenance and salaries of crew is estimated to be Rs. 291.43 nP., i.e., approximately Rs. 1.94 per mile.

Steel Supply to West Bengal

*1149. Shri Tridib Kumar Chaudhury: Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) whether it is a fact that there is lack of co-ordination between the demand for steel in West Bengal and supplies made available to the State by the Iron and Steel Controller both in regard to quality as well as quantity; and

(b) the total quantity of steel supplied to West Bengal against its actual requirements in 1955-56, 1956-57 and 1957-58 so far?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) No, Sir.

(b) The following statement gives the information regarding demands, allotments and supplies to West Bengal State during the last 3 years:

	Demand Tons	Allotment Tons	Despatches Tons	
1955-56	135,337	54,173	Full information is not available.	
1956-57	178,954	64,044	Do.	
1957-58	206,745	50,288	32,976	

University Teachers

*1155. Shri Mohan Swarup: Will the Minister of Education be pleased to state:

(a) whether it is a fact that University Grants Commission have sent a circular to all Universities in Uttar Pradesh to improve the pay scales of teachers and its readiness to pay 50 per cent. of the improved salaries of the teachers; and

(b) if so, when the scheme is going to be implemented and how much amount is to be paid by the Commission in this direction?

The Minister of Education (Dr. K. L. Shrimall): (a) and (b). The scheme relates to the improvement of salary scales of teachers in the constituent and affiliated colleges of Universities under the Second Five

Year Plan. Under this scheme 75 per cent. of the increased cost in respect of Women's Colleges and 50 per cent. in the case of Men's Colleges is to be borne by the Commission. The University Grants Commission has sent circular letters to the Universities of Agra, Allahabad, Banaras and Lucknow in Uttar Pradesh. But neither the Universities concerned nor the State Government have yet agreed to share the expenditure involved on the prescribed basis. Except for one college of the University of Allahabad, no other college has expressed its willingness to match the grant payable by the Commission. The University Grants Commission is having correspondence with the college concerned regarding the amount of arrears to be paid to its teachers.

In view of the above facts, it is not possible at this stage to say when the scheme will be implemented in respect of the colleges of the Universities concerned in Uttar Pradesh and how much amount will be paid by the Commission in this direction.

Copying Agency, Delhi

*1160. **Shri A. K. Gopalan:** Will the Minister of Home Affairs be pleased to state:

(a) whether Government are aware of the hardship being caused to people in getting certified copies of records etc. from the Copying Agency, Delhi; and

(b) if so, the action proposed to be taken in the matter?

The Minister of Home Affairs (Pandit G. B. Pant): (a) Government have received complaints regarding the delay in getting certified copies of records, etc.

(b) The Copying Agency, is being reorganised.

छात्रवृत्तियाँ

*११६१. श्री प० ला० बारूपाल : क्या शिक्षा मंत्री निम्न जानकारी देने वाला एक विवरण सभा पटल पर रखने की कृपा करेंगे :

(क) भारत सरकार द्वारा मान्यता-प्राप्त पब्लिक स्कूलों में प्रवेश प्राप्त करने वाले छात्रों को योग्यता के आधार पर छात्र-वृत्तियाँ देने के लिये १९५८ में छात्रवृत्ति विभाग को कितने प्रार्थना-पत्र प्राप्त हुए ;

(ख) उन छात्रों की संख्या कितनी है जिन के प्रार्थना-पत्र स्वीकार किये गये हैं और उन में से कितने छात्र अनुसूचित जातियों और अनुसूचित आदिम जातियों के हैं ; और

(ग) कितने छात्रों को उपरोक्त स्कूलों में भर्ती किया गया है ?

शिक्षा सभा (डा० का० ला० श्रीमाली) :

(क) ३४५४.

(ख) प्रारम्भिक अवस्था में ७१६ थे । इन में से २२ अनुसूचित जातियों के थे और १७ अनुसूचित कबीलों के ।

(ग) मालूम नहीं, क्योंकि अभी तक अन्तिम रूप से चुनाव नहीं हुए हैं ।

Medicinal Preparatory and Toilet Preparations (Excise Duties) Act, 1955.

*1165. **Shri Jhulan Sinha:** Will the Minister of Finance be pleased to state:

(a) whether use has been made of the power under the Medicinal Preparatory and Toilet Preparations (Excise Duties) Act of 1955 to exempt any dutiable goods from the whole or any part of duty leviable on such goods; and

(b) if so, the nature and extent of such use?

The Deputy Minister of Finance (Shri B. R. Bhagat): (a) Yes, Sir.

(b) Exemption has been granted in respect of the following:

- (1) medicinal preparations supplied direct from bonded factories or warehouses to hospitals, dispensaries and other charitable institutions supplying medicines free to the poor;
- (2) Ayurvedic preparations containing self-generated alcohol in which the alcohol content does not exceed 2 per cent. proof spirit; and
- (3) Ayurvedic preparations containing self-generated alcohol manufactured by practitioners for dispensing to their patients only. In addition provision has been made in the Rules to

enable the Central Government to exempt, by notification in the Official Gazette, any dutiable goods from the whole or any part of the duty leviable thereon in the interest of the trade or in the public interest, but so far no occasion has arisen to grant exemption under this provision.

Compulsory Physical Education

*1167. **Shrimati Ha Palchoudhuri:** Will the Minister of Education be pleased to state:

(a) whether it is a fact that the Government of India are considering introducing compulsory physical education for boys of the age group 19—22;

(b) whether any final decision has been taken in the matter; and

(c) if so, when is the scheme likely to be put into effect?

The Minister of Education (Dr. K. L. Shrimall): (a) No, Sir.

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

Conference of Chief Justices

*1170. **Shri Shree Narayan Das:** Will the Minister of Home Affairs be pleased to refer to the reply given to Starred Question No. 1197 on the 17th December, 1957 and state:

(a) whether as a result of deliberations at the Conference of Chief Justices any recommendations or suggestions have been received for consideration and decision by the Central Government;

(b) if so, the important features of such recommendations; and

(c) the nature of decisions taken thereon?

The Minister of Home Affairs (Pandit G. B. Pant): (a) to (c). The Chief Justice of India was good enough to send a copy of the minutes alongwith the conclusions that emerged out of the deliberations of the conference. The suggestions on which action was called for by the Central Government alongwith the action taken are given below:—

Conclusions of the Conference

Action taken by the Central Government

1. Additional Judges should be appointed in the High Courts for disposing of pending arrears.
2. All-India panel of serving District Judges for making "outside appointments" should be prepared but similar panels of Advocates would be difficult. Inter-State transfers of sitting High Court Judges should be made only with the consent of the Judge concerned.

1. A number of Additional Judges have been appointed. Whenever fresh proposals are received from the State Governments the Central Government give them full consideration.
2. State Governments have been addressed for preparing, in consultation with the Chief Justices concerned, panels of Judicial officers as well as members of the Bar considered suitable for appointment as High Court Judges. No inter-State transfers have been made against the wishes of any Judge.

Pakistanis in West Bengal

*1173. **Shri D. C. Sharma:** Will the Minister of Home Affairs be pleased to state the nature of action taken this year against those Pakistani nationals who have been detected as living in West Bengal by falsely declaring themselves as Indian citizens?

The Minister of State in the Ministry of Home Affairs (**Shri Datar**): Those detected to be living by falsely declaring themselves as Indian citizens have been sent back to Pakistan under the provisions of the Foreigners Laws (Amendment) Act, 1957; while those detected to be living unauthorisedly have been prosecuted under the provisions of the same Act.

Gratuity to Government Employees

*1174. **Shri Bibhuti Mishra:** Will the Minister of Finance be pleased to state:

(a) whether it is a fact that Government were contemplating to grant gratuity to Central Government temporary employees; and

(b) if so, the nature of proposal?

The Deputy Minister of Finance (**Shrimati Tarkeshwari Sinha**): (a) and (b). A proposal for the grant of gratuity on a suitable scale to temporary employees of the Central Government who superannuate or die or are retrenched without having been made permanent or quasi-permanent, had been under the consideration of the Government of India for some time before the appointment of the Pay Commission (1957). Since, however, the matter was one which fell within the terms of reference of the Pay Commission, it was decided to postpone further consideration of the proposal until the recommendations of the Pay Commission became available.

Change in the course of Jamuna River

*1175. { **Shri Radha Raman:**
Shri D. C. Sharma:

Will the Minister of Home Affairs be pleased to state:

(a) whether Government contemplate to carry out some work at Jamuna to bring Jamuna water near pucca ghats which have now become desolate and useless because Jamuna river has changed its course;

(b) if so, the nature of the work contemplated; and

(c) whether any amount has been sanctioned for this work?

The Minister of State in the Ministry of Home Affairs (**Shri Datar**): (a) to (c). Due to natural causes the river Jamuna has changed its course and is flowing about 2,000 feet away from the Kudsiya and Nigambhod ghats. As a temporary measure to bring the stream near the ghats an earthen spur was put across the river and a channel on the side of the ghats was cut by a bull-dozer. A sum of Rs. 6,405 have been paid by the Delhi Administration for this purpose. Permanent works will be required to bring the river bank on the right side and this can be undertaken after detailed model experiments are conducted in Poona by the Central Waterways Research Institute. Arrangements for conducting these model experiments will be made after an up-to-date survey of the river on the right side is carried out after monsoons.

Mr. J. L. Taylor

{ **Shri Vajpayee:**
*1176. { **Shri Raghunath Singh:**
Sardar Iqbal Singh:

Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that Mr. John Leslie Taylor, Assistant Inspec-

tor General of Police, West Pakistan, crossed into India at Wagah on the 5th July, 1958;

(b) if so, whether he had a British passport;

(c) whether Government's attention has been drawn to the reports in Pakistan Press that he had disappeared from that country with the keys of the Pakistan wireless communications code; and

(d) if so, Government's reaction thereto?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) Yes.

(b) Yes.

(c) Yes.

(d) The report was later on denied by the Pakistan High Commission in India.

Himalaya Bank Ltd.

*1177. **Shri Hem Raj:** Will the Minister of Finance be pleased to refer to the reply given to Starred Question No. 2120 on the 9th May, 1958 and state:

(a) whether the Reserve Bank of India has completed its report on the Himalaya Bank Ltd., Kangra (Punjab) and submitted it to Government; and

(b) if so, the action, taken thereon?

The Deputy Minister of Finance (Shrimati Tarkeshwari Sinha): (a) Yes.

(b) The question of taking any action in respect of the bank's affairs does not arise for the present, as the matter is sub judice.

Primary Schools in Tripura

*1178. **Shri Dasaratha Deb:** Will the Minister of Education be pleased to state:

(a) the number of primary schools in Tripura getting Government aid at present;

(b) the total amount of aid given to each of them during 1957-58;

(c) whether the aid sanctioned reaches these schools every month in time; and

(d) whether this aid is proposed to be raised?

The Minister of Education (Dr. K. L. Shrimall): (a) 126.

(b) Rs. 360 each.

(c) Generally, but some delay occurs at the time of renewal or sanction of a fresh grant.

(d) Not for the present.

Conference of Commonwealth Army Chiefs

*1179. **Shri A. K. Gopalan:** Will the Minister of Defence be pleased to state:

(a) whether a conference of the Commonwealth Army Chiefs was held in London; and

(b) if so, whether Government have received any reports about the conference?

The Minister of Defence (Shri Krishna Menon): (a) Yes.

(b) The discussions of the Conference are informal and private.

Hostels

*1180. { **Shri Ram Krishan:**
Sardar Iqbal Singh:

Will the Minister of Education be pleased to state:

(a) whether the scheme for provision of hostel accommodation for students has been finalised; and

(b) if so, the details thereof?

The Minister of Education (Dr. K. L. Shrimall): (a) The scheme is already in operation since 1956-57.

(b) A scheme for giving loans for construction of hostels to affiliated

Colleges, Secondary Educational Institutions, Teachers Training Colleges and Basic and Social Educational Institutions is already in operation since 1956-57. The State Governments are asked to submit proposals complete in all respects (i.e. approval of plans and estimates by the State P.W.D.; collection of data about students; population of the place; certificate about the availability of land etc.) indicating the order of priority therefor by a specified date. The proposals received from the State Governments are examined and in keeping with the funds available for a particular year, a decision is taken as to the extent to which the loans can be advanced to institutions in each State.

Loans are also advanced to Universities and Constituent Colleges of the University of Delhi on the recommendations of the University Grants Commission for construction of hostels and staff quarters.

Under the original scheme, loans for construction of hostel were interest-free but it has recently been decided that loans paid after 31st May, 1957 or which may be paid hereafter shall carry interest at the current borrowing rate. These loans are repayable in suitable instalments spread over a period of thirty years.

Bokaro Steel Plant

- *1181. { Shri Morarka:
Shri N. R. Munisamy:
Shri P. K. Deo:
Shri Supakar:

Will the Minister of Steel, Mines and Fuel be pleased to state the progress made in the preparatory work for developing Bokaro as a site for the proposed steel plant under the Third Five Year Plan?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): A preliminary survey of the site has been

made by the International Construction Company, our Steel Consultants. On the basis of visual investigation and judgement of the ground conditions, the Consulting Engineers have selected approximate locations of the Steel Plant and the appurtenant township. A broad layout has been prepared so as to permit further planning of a weir across the river Damodar for water. The construction of the weir is being pursued by the Hindustan Steel (Private) Ltd., as a part of the Dugda Coal Washery and they have framed a proposal for it. They have also made a rapid reconnaissance survey of the area and are preparing estimates for the five foot contour survey, construction of temporary offices, temporary quarters and landing ground for the Company plane.

M.E.S. Construction Committee

- *1182 { Shri D. C. Sharma:
Shri Vajpayee:

Will the Minister of Defence be pleased to refer to the reply given to Starred Question No. 1511 on the 7th April, 1958 and state:

(a) whether Government have received the report of the M.E.S. Construction Committee;

(b) if so, whether it has been examined and decision taken; and

(c) if the answer to part (a) above be in the negative, the reasons for the delay?

The Deputy Minister of Defence (Sardar Majithia): (a) Yes, Sir. The report was received on the 11th July, 1958.

(b) and (c). The report is under print and will be examined in consultation with the Services Headquarters, and other concerned as soon as printed copies become available.

Bharat Sevak Samaj Camps

*1184. **Shri A. K. Gopalan:** Will the Minister of Education be pleased to state:

(a) whether the Bharat Sevak Samaj has decided to hold Youth Camps in the rural areas during the current financial year;

(b) if so, the number of camps to be organised;

(c) the details of the programme for the camps; and

(d) the amount estimated to be spent thereon?

The Minister of Education (Dr. K. L. Shrimall): (a) Yes, Sir.

(b) About 1,320 camps subject to availability of funds.

(c) A statement is laid on the Table of the Lok Sabha. [See Appendix V, annexure No. 29.]

(d) Rs. 18.5 lakhs but as far as can be seen at present, the Government of India's grant is not likely to exceed Rs. 14.1 lakhs.

Arms for Civilians' Use

1831. **Shri Arjun Singh Bhadauria:** Will the Minister of Defence be pleased to state the number of arms manufactured in the ordnance factories for the use of civilians during the last three years?

The Deputy Minister of Defence (Shri Raghuramiah):

The number of arms manufactured in Ordnance Factories for the use of civilians during the last three financial years is given below:—

Serial No.	Type	1955-56 Nos.	1956-57 Nos.	1957-58 Nos.
1	12 bore Double Barrel Breach Loading Shot Guns (Non-ejector type)	3270	1286	3596
2	.315" sporting rifles	25	6	165

शस्त्रास्त्रों में आत्मनिर्भरता

१८३२. श्री अर्जुन सिंह भदौरिया : क्या प्रतिरक्षा मंत्री यह बताने की कृपा करेंगे कि शस्त्रों के मामले में भारत कब तक आत्मनिर्भर हो जायेगा ?

प्रतिरक्षा मंत्री (श्री कृष्ण मेनन) : जितना जल्दी हो सके आत्मनिर्भर हो पाने और बाहर के मुल्कों के भरोसे रहने को इतना कम करने के लिये कि कम से कम और अतीव जरूरी चीजें बाहर से मंगाई जायें. देश में उत्पादन बढ़ाने की हर कोशिश की जा रही है। ताहम देश की औद्योगिक उन्नति की मौजूदह हालत में शीघ्र भविष्य में आत्मनिर्भर हो पाना संभव नहीं।

Test-Relief Work in Tripura

1833. **Shri Bangshi Thakur:** Will the Minister of Home Affairs be pleased to state what are the names of the localities in Tripura where the test-relief work is being done at present?

The Minister in the Ministry of Home Affairs (Shri Datar): A statement giving the required information is laid on the Table of the House. [See Appendix V, annexure No. 30.]

Regional Languages in Bombay

1834. **Shri Pangarkar:** Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) the amount proposed to be given as grants-in-aid during 1958-59 to the Bombay Government for the development of regional languages; and

(b) the items on which it is to be spent?

The Minister for Scientific Research and Cultural Affairs (Shri Humayun Kabir): (a) and (b). The matter is under consideration.

Social Service Camps in Bombay

1835. Shri Pangarkar: Will the Minister of Education be pleased to state:

(a) the number of Social Service Camps which have been organised with the help of the Central Government in Bombay State during 1957-58 and 1958-59 so far; and

(b) the total amount spent and the number of participants, both boys and girls?

The Minister of Education (Dr. K. L. Shrimall):

(a) 1957-58 1958-59

155 66

(b)

	Total amount spent	No. of participants	
		Boys	Girls
	Rs.		
1957-58	4,02,180.87*	15736	2033
1958-59	1,26,081.17*	3599	531

Welfare Extension Projects in Bombay

1836. Shri Pangarkar: Will the Minister of Education be pleased to state:

(a) the number of integrated Welfare Extension Projects of the Central Social Welfare Board located in Bombay; and

(b) the names of places where they are located?

The Minister of Education (Dr. K. L. Shrimall): (a) Twenty.

(b) A statement giving the requisite information is laid on the Table of the House. [See Appendix V, annexure No. 31.]

Successions to Gaddis of Former Rulers

1837. Shri P. K. Deo: Will the Minister of Home Affairs be pleased to state:

(a) the number of recent cases of disputed succession to the Gaddis of former Indian States;

(b) which are those cases;

(c) whether these were referred to any Committee or Commission of Enquiry;

(d) if so, whether the composition of the Commission or Committee was in accordance with the provisions of Government of India Resolution No. 428-R of 29th October, 1920; and

(e) if not, the reasons therefor?

The Minister of Home Affairs (Pandit G. B. Pant): (a) Three.

(b) Dholpur, Manipur and Baudh.

(c) In Dholpur, a Committee consisting of the Chief Justice of Rajasthan and two Rulers enquired into the claims of the various claimants. In Manipur and Baudh, the enquiry was held by the Judicial Commissioner, Manipur and the District Judge, Ganjam-Nayagarh respectively.

(d) No. Government of India's Resolution No. 428-R of 29th October, 1920 was issued when the Government of India as Paramount power conducted relations with the then

*These figures are subject to revision on receipt of the audited accounts.

Princely States. With the lapse of Paramountcy, that Resolution has ceased to be operative.

(c) Article 366 (22) of the Constitution vests in the President the power to recognise Rulers and in the exercise of this power it is left to him to consider whether in cases of disputed successions an enquiry, and if so of what kind, is necessary to assist him in reaching a decision. The enquiry held in each of the three cases mentioned in (c) above was considered best in the circumstances of each case.

Central Social Welfare Board Grants to Andhra

1838. Shri M. V. Krishna Rao: Will the Minister of Education be pleased to lay a statement on the Table showing the names of the public institutions and organisations in Andhra Pradesh which have been given assistance during 1957-58 and 1958-59 by the Central Social Welfare Board and the amount given or allotted to each of them?

The Minister of Education (Dr. K. L. Shrimall): A statement giving the requisite information is laid on the Table of the House. [See Appendix V, annexure No. 32.]

Light Houses for Laccadives

1839. Shri Nallakoya: Will the Minister of Home Affairs be pleased to state:

(a) whether there was a proposal to establish a Light House in certain islands of the Laccadive Archipelago;

(b) if so, on which islands it is to be opened; and

(c) at what stage the proposal stands at present.

The Deputy Minister of Home Affairs (Shrimati Alva): (a) and (b). There is a proposal to establish general light houses at Androth and Kiltan and a local light house at Kavarathy.

(c) A marine Officer of the Ministry of Transport and Communications will visit Androth and Kiltan Islands for preparing a scheme for this purpose after proper survey, as soon as a steamer service between the mainland and the islands is resumed.

As regards Kavarathy, a coconut pole has already been put up for the purpose temporarily and will soon be replaced by a light house tower.

Laccadive Islands

1840. Shri Nallakoya: Will the Minister of Home Affairs be pleased to state:

(a) whether the proposals to remove rocks in the channels for country crafts around the Laccadive Islands have been given effect to; and

(b) if not, when it is proposed to start the work?

The Deputy Minister of Home Affairs (Shrimati Alva): (a) No.

(b) Additional Chief Engineer (Union Territories) proposes to visit the Islands as soon as a steamer service between the mainland and the Islands is resumed. He will formulate a scheme for this purpose after making a survey of the waters near about the Islands.

विश्वविद्यालय अनुदान आयोग

१८४१. श्रीमता: निनामाता : क्या शिक्षा मंत्री यह बनाने की कृपा करेंगे कि :

(क) विश्वविद्यालय अनुदान आयोग ने अब तक सागर विश्वविद्यालय और जबलपुर विश्वविद्यालय को कितना अनुदान दिया है, और

(ख) विश्वविद्यालय अनुदान आयोग ने सम्बद्ध कालेजों और विधेयन: सागर तथा जबलपुर विश्वविद्यालयों के सम्बद्ध कालेजों को अपने अध्यापकों के वेतन बढ़ाने के लिये कितना अनुदान दिया है ?

श्रीमान्त्री (डा० का० लाला जीवाजी) :
(क)

	साथर विश्वविद्यालय	जबलपुर विश्वविद्यालय
	रु०	
१९४३-४४ .	१,६०,०००	अभी तक कुछ
१९४४-४५ .	६,३२,०६०	नहीं ।
१९४५-४६ .	५,७६,६००	
१९४६-४७ .	३,४१,०५०	
१९४७-४८ .	६६,४२४	
१९४८-४९	७६,७००	
(८-८-१९४८ तक)		

(ख) कुछ नहीं ।

Land for Scheduled Castes and Scheduled Tribes

1842. Shri Kumbhar: Will the Minister of Home Affairs be pleased to state:

(a) the details of the allotment of cultivable lands made to the Scheduled Castes and Tribes in the Union Territories during the First and Second Plan periods so far; and

(b) the acreage of cultivable fallow land lying vacant?

The Deputy Minister of Home Affairs (Shrimati Alva): (a) and (b). The information is being collected and will be laid on the Table of the House as soon as received.

Health Problems in Tribal Areas

1843. Shri Kumbhar: Will the Minister of Home Affairs be pleased to state:

(a) whether the State Governments and Union Territories have conducted surveys of health problem in the Tribal areas to draw up well thought out schemes for the welfare of the

Tribals according to the recommendations of the State Ministers' Conference held in Delhi on the 15th and 16th February, 1958;

(b) if so, the details of action taken regarding Malaria Control and eradication of contagious and infectious diseases; and

(c) if no action has been taken, the reasons therefor?

The Deputy Minister of Home Affairs (Shrimati Alva): (a) to (c). The information is being collected and will be laid on the table of the House as soon as received.

Mixed Colonies

1844. Shri Kumbhar: Will the Minister of Home Affairs be pleased to state:

(a) whether the State Governments and Union Territories have encouraged the non-Harajians by giving them same facilities as are admissible to the Scheduled Castes to reside in mixed colonies and institutions according to the recommendation of the State Ministers' Conference held in Delhi on the 15th and 16th February, 1958;

(b) if so, the names of the localities in the States and Union Territories where such Colonies and institutions of mixed character have been started; and

(c) if not, the reasons therefor?

The Deputy Minister of Home Affairs (Shrimati Alva): (a) to (c). The information is being collected and will be laid on the Table of the House as soon as received.

Scheduled Castes and Tribes in Steel Plants

1845. Shri Kumbhar: Will the Minister of Steel, Mines and Fuel be pleased to refer to the reply given to Unstarred Question No. 1777 on the

26th March, 1958 and lay a statement on the Table showing:

(a) the number of Scheduled Castes and Tribes appointed in temporary and permanent posts grade-wise so far in different sections and centres of the Bhilai, Durgapur and Rourkela Steel Plants according to their reserved quota in services; and

(b) the details thereof?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) and (b). Hindustan Steel Private Limited report that the following are the number of persons belonging to Scheduled Castes and Scheduled Tribes in the regular establishment of steel plants:—

Project	CLASS					
	Class II		Class III		Class IV	
	Scheduled Castes	Scheduled Tribes	Scheduled Castes	Scheduled Tribes	Scheduled Castes	Scheduled Tribes
Rourkela	1	..	11	18	35	37
Bhilai . . . . .	..	..	33	5	182	16
Durgapur . . . . .	..	..	7	..	31	6

In addition to the above 8 Scheduled Castes and 6 Scheduled Tribes trainee engineers are being trained at various centres.

A further statement will be laid on the Table of the House in respect of skilled workers for operation.

Scheduled Castes and Tribes in Defence Establishments

1846. Shri Kumbhar: Will the Minister of Defence be pleased to refer to the reply given to Unstarred Question No. 1648 on the 25th March, 1958 and lay a statement on the Table showing:

(a) the number of Scheduled Castes and Tribes appointed in temporary and permanent posts grade-wise so far in different sections and centres of the Defence establishments according to their reserved quota in services; and

(b) the details thereof?

The Deputy Minister of Defence (Shri Baghuramalah): (a) and (b). In compliance with the assurance given

in the reply to unstarred question No. 1648, the information has been laid on the Table of the Lok Sabha by the Minister of Parliamentary Affairs on the 5th September, 1958.

Houses for Scheduled Castes and Scheduled Tribes in Orissa

1847. Shri Kumbhar: Will the Minister of Home Affairs be pleased to refer to the reply given to Unstarred Question No. 2570 on the 18th April 1958 and state:

(a) the number of Scheduled Castes and Scheduled Tribes families provided residential accommodation in colonies and hutments in Orissa State during the First and Second Plan periods so far, year-wise and district-wise; and

(b) the number of applications of the same castes and tribes pending?

The Deputy Minister of Home Affairs (Shrimati Alva): (a) A statement is laid on the Table of the House. [See Appendix V, annexure No. 33].

(b) Not readily available.

Scheduled Caste Scholars from Rajasthan

1848. Shri Onkar Lal: Will the Minister of Education be pleased to state:

(a) the number of Scheduled Caste Scholars who were awarded Government scholarships and sent abroad for advanced studies since 1954;

(b) the names of countries to which they were sent; and

(c) the number of Scheduled Caste Scholars from Rajasthan among them?

The Minister of Education (Dr. K. L. Shrimall): (a) to (c). The information is being collected and will be laid on the Table of the House in due course.

N.C.C. in Rajasthan

1849. Shri Onkar Lal: Will the Minister of Defence be pleased to state:

(a) the number of National Cadet Corps Units in Rajasthan State at present; and

(b) the number of divisions functioning at present?

The Minister of Defence (Shri Krishna Menon): (a) and (b). A statement is laid on the Table of the House. [See Appendix V, annexure No. 34].

Iron and Steel Supply to Rajasthan

1850. Shri Onkar Lal: Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) the total amount of iron and steel allotted to Rajasthan State during the last 3 years and the total amount actually supplied during the same period;

(b) whether it is a fact that the supply has been recently stopped; and

(c) if so, the reasons therefor?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) The following statement gives the information regarding allotments and

supplies made to Rajasthan State during the last three years:—

Year	Allotment	Despatches
	Tons	Tons
1955-56	20,783	7,727
1956-57	13,530	10,722
1957-58	11,422	8,347

(b) No, Sir.

(c) Does not arise.

Income-tax cases in Rajasthan High Court

1851. Shri Onkar Lal: Will the Minister of Finance be pleased to state:

(a) how many cases of Income-tax were admitted in the Rajasthan High Court and Tribunal since 1956; and

(b) the number of cases disposed of uptill now?

The Minister of Revenue and Civil Expenditure (Dr. B. Gopala Reddi): (a) (i) In Rajasthan High Court 21

(ii) Cases of Rajasthan admitted in the Income-tax Appellate Tribunal Delhi Bench. 536

(b) (i) By High Court 10

(ii) By Tribunal 299

Central Social Welfare Board

1852. Shri Kumbhar: Will the Minister of Education be pleased to state:

(a) whether Scheduled Castes women are appointed as paid workers in various centres of the Central Social Welfare Board functioning in various Union Territories and States;

(b) whether they are appointed according to the percentage of the reserved quota in services of the Central Government; and

(c) if so, the details thereof?

The Minister of Education (Dr. K. L. Shrimall): (a) Yes, Sir.

(b) No, Sir.

(c) Information for the implementation of the assurance given in reply to unstarred question No. 2254 asked by the same member on the 10th April, 1958 is still being collected and will be laid on the Table of the Sabha as soon as available.

Corruption in Administrative Machinery of Courts

1853. **Shri Shree Narayan Das:** Will the Minister of Home Affairs be pleased to refer to the reply given to Unstarred Question No. 603 on the 26th February, 1958 and state:

(a) whether the State Governments have furnished information about the action taken by them to eradicate corruption in the administrative machinery of courts; and

(b) if so, the details of the action so taken by them?

The Minister of Home Affairs (Pandit G. B. Pant): (a) and (b). A statement containing the information so far received from the State Governments is laid on the Table of the House. [See Appendix V, annexure No. 35].

Taxation Enquiry Commission

1854. **Shri Shree Narayan Das:** Will the Minister of Finance be pleased to state:

(a) whether the Government of India have given their thoughts to the recommendations Nos. 181, 185 and 186 of the Taxation Enquiry Commission (Vol. III) in the light of the suggestions made by the Central Council of Local Self Government; and

(b) if so, with what result?

The Minister of Revenue and Civil Expenditure (Dr. B. Gopala Reddi):
(a) Yes;

(b) Recommendation No. 185 has already been implemented by the Ministry of Railways by enacting the Terminal Tax on Railway Passengers Act, 1956.

177 LSD—3.

In the context of the surcharge on Railway freights and the tax on Passenger fares introduced in the budget for 1957-58, it has been felt that the idea of proceeding with the levy of a terminal tax on passengers and goods, as recommended by the Taxation Enquiry Commission, need not be pursued for the present.

Technical Education in Bombay

1855. **Shri Pangarkar:** Will the Minister of Scientific Research and Cultural Affairs be pleased to state the total amount of grant sanctioned for expansion of technical education in Bombay during the years 1957-58 and 1958-59?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): In 1957-58, a sum of Rs. 28,73,886 was sanctioned as grant-in-aid for the development of technical education in Bombay State, for both government and non-government technical institutions.

During 1958-59, a sum of Rs. 6,48,175 has been sanctioned to non-government technical institutions in Bombay State, upto 1st September, 1958. In regard to government institutions, a sum of Rs. 14,50,000 has been allocated as grant-in-aid in the current year.

Archaeological Survey of Punjab

1856. { **Shri Ram Krishan:**
Sardar Iqbal Singh:

Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) whether there is any proposal to conduct a survey of places of archaeological and historical importance in Punjab State during Second Five Year Plan period; and

(b) if so, the progress made so far?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): (a) and (b). Yes, Sir. The work is already in progress and 270 villages have been surveyed upto the end of July, 1958.

Hindi Terminology

1858. Shri Ram Krishan: Will the Minister of Education be pleased to state:

(a) the progress made so far in evolving vocabularies of technical, scientific, legal and administrative terms in Hindi; and

(b) the time by which this work is likely to be completed?

The Minister of Education (Dr. K. L. Shrimall): (a) 1,20,834 terms were evolved in all these subjects upto the end of July, 1958.

(b) Attention is invited to reply given to part (d) of starred question No. 1203 by Shri K. B. Malvia in the Lok Sabha on 17-12-57.

Foreigners in Steel Plants

1858. Shri Morarka: Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) how many foreigners are working in each of the steel plants at Rourkela, Bhilai and Durgapur;

(b) what are their qualifications and functions;

(c) what are their emoluments; and

(d) the total amount paid so far in different steel plants on this account?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) to (d). A statement is laid on the Table of the House. [See Appendix V, annexure No. 36]. showing the number of foreign personnel employed direct by the Hindustan Steel Private Limited.

Besides these there are a number of foreign personnel in the employ of the contractors and of the consulting engineers.

Sanskrit Commission

1859. { **Sardar Iqbal Singh:**
Shri Ram Krishan:
Shri Bhakti Darshan:
Shri Naval Prabhakar:
Shri Vajpayee:

Will the Minister of Education be pleased to refer to the reply given to

Unstarred Question No. 2701 on the 24th April, 1958 and lay a statement showing the action taken or proposed to be taken on each of the main recommendations contained in the Report of the Sanskrit Commission?

The Minister of Education (Dr. K. L. Shrimall): The recommendations made by the Sanskrit Commission are still under examination. References have been made to the State Governments, Union Territories, Indian Universities and Sanskrit Organisations etc. for collecting the requisite data and soliciting their comments. Specific proposals will be formulated and decisions taken, as soon as the information has been received and the detailed examination is completed.

System of Examinations

1860. { **Shri D. C. Sharma:**
Shri Balmiki:
Sardar Iqbal Singh:

Will the Minister of Education be pleased to refer to the reply given to Starred Question No. 1508 on the 7th April, 1958 and lay a statement on the Table giving further details with regard to the introduction of radical reforms in the system of examinations conducted by State Governments, Boards of Secondary Education and Universities?

The Minister of Education (Dr. K. L. Shrimall): The information is being collected and will be placed on the Table of the House in due course.

Teachers of Technical Institutions

1861. Shri D. C. Sharma: Will the Minister of Scientific Research and Cultural Affairs be pleased to refer to the reply given to Starred Question No. 1652 on the 15th April, 1958 and state the progress made upto the 31st August, 1958 with regard to the proposal of scheme for upgrading and rationalising of pay scales of teachers of Technical Institutions on All-India basis?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): The scheme is still under the

consideration of the Government with a view to find the necessary funds for its implementation.

L.I.C. Medical Examiners

1862. { Shri Damani:
Shri Daijit Singh:

Will the Minister of Finance be pleased to state:

(a) the total number of Medical Examiners appointed by the Life Insurance Corporation of India; and

(b) how many of them are lady doctors?

The Minister of Revenue and Civil Expenditure (Dr. B. Gopala Reddi):
(a) 10,679.

(b) 959.

Non-Gazetted Staff Affected by Re-organization of States

1863. Shri Bibhuti Mishra: Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that non-gazetted staff of Bihar have been affected in respect of pay and seniority as a result of the reorganisation of States; and

(b) if so, steps taken to redress their grievances?

The Minister in the Ministry of Home Affairs (Shri Datar): (a) Presumably, the Question refers to the non-gazetted staff of Bihar transferred to the Government of West Bengal as a result of the re-organisation of States. There is no reason to suppose that they have been generally affected adversely in respect of pay and seniority.

(b) Necessary provision has been made in the Bihar and West Bengal (Transfer of Territories) Act, 1956, to the effect that 'conditions of service' as applicable to a person provisionally or finally allotted to West Bengal, immediately before the appointed day,

cannot be varied to his disadvantage without the previous approval of the Central Government. The latter have so far received only one complaint about alleged reduction in pay which is being examined in consultation with the West Bengal Government.

Juvenile Offenders

1864. Shri Radha Raman: Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that Juvenile under trials and convicts below 14 years of age are lodged in Delhi Jail, though in a separate ward but along with other prisoners;

(b) whether it is also a fact that some of them are there for long periods and for petty offences, such as running away from home and being found loitering; and

(c) if so, what steps Government have taken or proposed to take to save them from becoming delinquents and confirmed offenders?

The Minister in the Ministry of Home Affairs (Shri Datar): (a) Juvenile undertrials are lodged in Delhi Jail in a separate ward, and are not allowed to mix with ordinary prisoners. Juveniles below 16, after their conviction, are sent either to the Children's Home, Delhi, or to the Reformatory School, Hissar, as directed by the Court; no juvenile convicts are kept in the jail, except those sentenced to short terms of less than two months.

(b) The period of detention of the juvenile delinquents generally ranges from over-night to 3 or 4 months. Most of them are brought under section 7 of the Bombay Children Act as extended to Delhi, which applies to children who are found loitering and have run away from home. They may also be accused or charged with other petty offences.

(c) The juvenile undertrials are kept in a separate ward in Delhi Jail and are not allowed to mix with

ordinary prisoners. Keeping the convicts in the Children's Home or Reformatory School is with a view to reform them and prevent them from becoming confirmed offenders. It has been decided to start a separate Children's Remand Home in Delhi, where only juvenile under trials are to be detained.

सांची के स्तूप

१८६५. श्री डामर : क्या वैज्ञानिक गवेषणा और सांस्कृतिक-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या केन्द्रीय सरकार ने सांची में बौद्ध स्तूपों की देख-रेख तथा व्यवस्था के लिये कोई धनराशि नियत की है ; और

(ख) यदि हा, तो वर्ष १९५८-५९ के लिये इस प्रयोजन के हेतु कितनी धनराशि नियत की गई है ?

वैज्ञानिक गवेषणा और सांस्कृतिक-कार्य मंत्री (श्री हुमायून् कबिर) : (क) जी, हाँ ।

(ख) रु० ३६,३००.

तम्बाकू का खेत

१८६६. श्री डामर : क्या वित्त मंत्री यह बताने की कृपा करेंगे कि :

(क) मध्य प्रदेश के मध्य भारत क्षेत्र में इस समय कुल कितने एकड़ भूमि में तम्बाकू की खेती की जा रही है ; और

(ख) १९५५-५६, १९५६-५७ और १९५७-५८ में राज्य में तम्बाकू का कुल कितना उत्पादन हुआ ?

राजस्व और धार्मिक व्यय मंत्री (डाक्टर बी० गोपाल रेड्डी) : (क)

१९५७-५८ फसली वर्ष २३३५ एकड़

(ख) :

वर्ष पाँच

१९५५-५६ . ४६,६८,३०१

१९५६-५७ . ४८,०२,०८८

१९५७-५८ . २१,३१,७७६

पाकिस्तानी राष्ट्रजन

१८६७. श्री डामर : क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) दिल्ली पुलिस ने १९५७ के बाद से कितने पाकिस्तानी राष्ट्रजनों को भारत में बिना वीसा (ड्रॉफ्ट) रहने अथवा वीसा की कालावधि समाप्त होने के बाद ठहरने के अपराध में गिरफ्तार किया ; और

(ख) उनके विरुद्ध क्या कार्यवाही की जा रही है ?

गृह-कार्य मंत्रालय में राज्य-मंत्री (श्री बातार) : (क) १५५

(ख) सम्बन्धित एक्ट के मातहत अदा-लती कार्यवाही की जा रही है ।

Post-Matric Scholarships

1868. Shri Daljit Singh: Will the Minister of Education be pleased to state the total amount expended for the grant of Scholarships to Backward Class students of Punjab State for post-matric studies during 1957-58?

The Minister of Education (Dr. K. L. Shrimall): The following expenditure was incurred for the award for the year 1957-58 of the Government of India Inland scholarships to the Scheduled Castes, Scheduled Tribes and Other Backward Classes scholars

belonging to Punjab State for post-Matric studies:—

<i>Name of the Community</i>	<i>Expenditure incurred (In Rupees)</i>
Scheduled Castes	11,09,545-00
Scheduled Tribes	24,894-00
Other Backward Classes	73,368-00
TOTAL	12,07,807-00

Welfare Extension Projects in Punjab and Himachal Pradesh

1869. **Shri Daljit Singh:** Will the Minister of Education be pleased to state the number of Welfare Extension Projects allocated to the Punjab and Himachal Pradesh by the Central Social Welfare Board during 1958 so far?

The Minister of Education (Dr. K. L. Shrimall): Punjab Nil.

Himachal Pradesh .. 1.

Violation of Foreign Exchange Regulation Act

1870. **Shri T. B. Vittal Rao:** Will the Minister of Finance be pleased to state:

(a) how many cases of violation of the Foreign Exchange Regulation Act have been detected in 1955, 1956, 1957 and in the first quarter of 1958; and

(b) whether any action has been taken in respect of the detected cases?

The Minister of Revenue and Civil Expenditure (Dr. B. Gopala Reddi):

(a) A statement giving the necessary information is laid on the Table of the House. [See Appendix V, annexure No. 37].

(b) Yes; in respect of detected cases, either adjudication proceedings or proceedings in the Courts of Law were initiated.

Indian Engineers Association in England

1871. **Sardar Iqbal Singh:** Will the Minister of Education be pleased to state:

(a) whether it is a fact that the Indian Engineers and students in

England have formed an association; and

(b) if so, the main functions of this association?

The Minister of Education (Dr. K. L. Shrimall): (a) Yes, Sir.

(b) The main functions of this association are as follows:—

- (i) To promote the science and practice of engineering and allied subjects, and the consideration and discussion of all subjects affecting Indian Engineers and Engineering students in U.K.;
- (ii) To promote means of communication between members and interchange of views on engineering problems in India;
- (iii) To co-operate with other scientific institutions for furtherance of engineering knowledge among Indians;
- (iv) To provide facilities for social intercourse between the members of the association and their friends;
- (v) To organise educational visits to the Industry for its members;
- (vi) To bring Indian Engineers and Indian Engineering students closer to Indian industry;
- (vii) To help its members to secure practical training in industry;
- (viii) To give information regarding Engineering education to its members;
- (ix) To publish an annual handbook with list of members and suitable articles and photographs.

Convention of Indian Ex-Servicemen's Association

1872. { Sardar Iqbal Singh:
Shrimati Mafida Ahmed:

Will the Minister of Defence be pleased to state:

(a) whether a convention of Indian Ex-servicemen's Association was held in Delhi recently;

(b) if so, whether Government have received any copies of resolution passed by the conference;

(c) whether Government have considered these; and

(d) if so, with what results?

The Deputy Minister of Defence (Sardar Majithia): (a) The second annual conference of Indian Ex-Services Association was held in Delhi on the 25th and 26th April, 1958.

(b) Yes, on the 16th July, 1958.

(c) and (d). The resolutions passed by the conference will receive consideration. Since some of these resolutions raise important issues and also concern several other Ministries of the Government of India, it would be some time before final decisions are reached.

Training of Oil Drillers

1873. **Sardar Iqbal Singh:** Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) whether Government have prepared any scheme for the training of Indian Oil Drillers;

(b) if so, its nature; and

(c) the number of drillers trained so far under the scheme?

The Minister of Mines and Oil (Shri K. D. Malaviya): (a) Yes, Sir.

(b) and (c). 1. The training of Indian oil drillers has been receiving the attention of the Oil and Natural Gas Commission from its inception:

(i) Persons with Mechanical Engineering qualifications and with

some experience in oil well drilling have been sent to the U.S.S.R. and France for advance training in drilling. Some of them have also received training at the Assam Oil Company and Standard Vacuum Oil Company drill sites.

(ii) Drilling staff of the Oil and Natural Gas Commission are working as understudies and are receiving training from the Russian and Rumanian drilling experts at the drill sites at Jawalamukhi, Hoshiarpur and Cambay.

(iii) A proposal to start a training School at Jawalamukhi for training drilling personnel is receiving attention of the Oil and Natural Gas Commission: details of the Scheme are being worked out.

2. Uptill now 4 Drillers, 23 Assistant Drillers and 12 Drilling Assistants have received and are receiving training in drilling techniques from the foreign experts. Of these 8 trainees who were sent to the U.S.S.R. under the U.N.T.A.A. Scheme for one year's training in drilling, have been posted at various O.N.G.C. drill sites, one their return. One officer is receiving training in France, 12 trainees received training at Digboi with the Assam Oil Company and 6 trainees received training at the S.V.O.C. Drill-site.

3. Names of other drilling personnel are being proposed for training in foreign countries under the aid schemes like the Colombo Plan, U.N.T.A.A. etc.

Scheduled Castes and Scheduled Tribes and Other Backward Classes

1874. **Sardar Iqbal Singh:** Will the Minister of Home Affairs be pleased to state the assistance given to each State for the welfare of Scheduled Castes, Scheduled Tribes and Other Backward Classes during 1958-59 so far?

The Deputy Minister of Home Affairs (Shrimati Alva): A statement showing the ceilings of Central assistance tentatively allotted to the various States during the year 1958-59 for the State and Central sectors of the plan is laid on the Table of the House. [See Appendix V, annexure No. 38]. Under the new procedure three-fourth of this assistance will be made available to them by the Ministry of Finance as ways and means advances in nine equal monthly instalments beginning with May and the final payment will be made in the month of February, 1959 on the basis of actual expenditure for the first three quarters and estimated expenditure for the last quarter, subject to final adjustment in the following year in the light of actual expenditure for the year as a whole.

Engineers for Durgapur Steel Plant

1875. Sardar Iqbal Singh: Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) the number of Indian engineers sent so far to U.K. for training for Durgapur Steel Plant; and

(b) the nature of their training?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) 68.

(b) The engineers are given Plant training in the Steel works both on the operation and maintenance side of the various departments.

Steel Allotments

**1876. { Sardar Iqbal Singh:
Shri M. V. Krishnarao:**

Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) the actual quantity of pig iron and steel separately allocated to various States during the period from January to August, 1958; and

(b) the quantity actually supplied during the same period?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) and (b). A statement is laid on the Table of the House. [See Appendix V, annexure No. 39].

Development of Ferozepore and Ambala Cantonments

1877. Sardar Iqbal Singh: Will the Minister of Defence be pleased to state:

(a) the total amount allotted by the Government of India to the Cantonment Boards of Ferozepore and Ambala as grants-in-aid for implementing its development schemes for the years 1957-58 and 1958-59; and

(b) the details of these schemes?

The Deputy Minister of Defence (Sardar Majithia): (a) and (b). A statement is laid on the Table of the House. [See Appendix V, annexure No. 40].

Loans to States for Setting up Industrial Financial Corporations

1878. Sardar Iqbal Singh: Will the Minister of Finance be pleased to refer to the reply given to Starred Question No. 1185 on the 17th August, 1956 and state:

(a) the names of the States which have since asked for loans from the Centre to subscribe to the capital of State Financial Corporations under the State Financial Corporations Act, 1951; and

(b) the amount of loans asked for by such States and the amount sanctioned to them by Government?

The Minister of Revenue and Civil Expenditure (Dr. B. Gopala Reddi): (a) and (b). A statement is laid on the Table of the House. [See Appendix V, annexure No. 41].

Lignite Deposits in Punjab

1879. Sardar Iqbal Singh: Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) the present position of availability of lignite in Punjab;

(b) whether any detailed investigations have been made of formations known to contain lignite; and

(c) if so, the details of such investigations?

The Minister of Mines and Oil (Shri K. D. Malaviya): (a) No occurrences of lignite have been reported in Punjab.

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

Arms Act

1880. Sardar Iqbal Singh: Will the Minister of Home Affairs be pleased to state:

(a) the total number of cases registered under the Arms Act for having guns without proper licences during the year 1957 in each State; and

(b) the number of cases in which guns were forfeited to the Government during the same period?

The Minister in the Ministry of Home Affairs (Shri Datar): (a) and (b). A statement giving the requisite information in respect of the States from whom replies have so far been received is laid on the Table of the House. [See Appendix V, annexure No. 42]. Information in respect of other States will be laid on the Table of the House on receipt.

Geologists Working in Punjab

1881. Sardar Iqbal Singh: Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) how many Geologists or teams of Geologists of the Government of India are currently working in the Punjab State; and

(b) the subjects of their investigation?

The Minister of Mines and Oil (Shri K. D. Malaviya): (a) and (b). The total number of Geologists of the Geological Survey of India who work-

ed in the Punjab State during the year 1957-58 and are expected to work during 1958-59 is 31. The subjects of the investigations to be carried out during 1958-59 are as follows:—

Reconnaissance Survey in the Upper Beas Valley.

Detailed geological investigation during the construction phase of Bhakra Dam Project.

Investigation of dam-sites in the Yamuna Basin.

Geological investigation of the Koch dam-site on Yamuna river.

Investigation for location of tubewells in the neighbourhood of the Eastern Canal and Grey Canal, Ferozepur district.

Investigation of water logging in the Ferozepur area.

Selection of sites for exploratory boreholes.

Collection of basic data from exploratory boreholes in Gurgaon, Hisar, Ambala, Rohtak, Karnal, Jind, Mahendragarh and Hoshiarpur districts.

Electrical logging of boreholes in the areas mentioned in the above items. Seismic refraction and electrical resistivity investigations in the exploratory area.

Examination of ground deposits in the exploratory areas for gravels for shrouding.

Five field parties of the Oil and Natural Gas Commission consisting of 19 Geologists carried out geological mapping in the Punjab during the field season 1957-58, and 5 additional geologists are looking after the drilling projects in Punjab. The field parties were engaged on geological mapping in connection with exploration for oil and gas and Geological work in connection with test drilling.

Excavations at Susupalgarh, Orissa

1882. Shri Bose: Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) whether a big sum has already been spent by the Archaeological Department on excavation work at Susupalgarh in Orissa; and

(b) if so, the total amount spent and the discoveries made so far as a result of the excavation?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): (a) and (b). A sum of Rs. 79,589 was spent on the excavations at Susupalgarh. Detailed report of the excavations are available at pages 62—105 of the "Ancient India" Number 5 of 1949, copies of which are available in the Library of Parliament.

Insurance Agents

1883. { Shri Jadhav:
Shri Daljit Singh:

Will the Minister of Finance be pleased to state:

(a) the number of agents on roll of the Life Insurance Corporation;

(b) how many of them are active; and

(c) their average minimum income per month?

The Minister of Revenue and Civil Expenditure (Dr. B. Gopala Reddi): (a) 2,15,523 as on the 31st May, 1958.

(b) 60,670.

(c) Statistics regarding average minimum monthly income of individual agents are not available. However, Average Commission earned by agents during the year 1957 was around Rs. 240.

Mahadeva Temple Near Rudra-Mahalaya

1884. Shri Assar: Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) whether it is a fact that a representation was sent by the public and pilgrims of Sidhpur, District

Mahesana (Gujrat) in regard to the protected monument of Rudra-Mahalaya at Sidhpur four years ago;

(b) whether it is a fact that Government had not come to a decision on their demands;

(c) if so, reasons therefor; and

(d) when a decision will be taken in the matter?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): (a) Yes Sir.

(b) No, Sir.

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

Quarters for Harness and Saddlery Factory Workers, Kanpur

1885. Shri S. M. Banerjee: Will the Minister of Defence be pleased to state:

(a) whether it is a fact that the quarters constructed at Kanpur for employees of Harness and Saddlery Factory workers are not according to specifications;

(b) whether this has resulted in leakage after the first rain in 1958; and

(c) if so, whether any inquiry is being instituted?

The Deputy Minister of Defence (Shri Raghuramiah): (a) No, Sir.

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

Bharat Sewak Samaj

1886. Shri Kumaran: Will the Minister of Education be pleased to state the amount paid by Government to the Bharat Sewak Samaj for conducting Youth Camps during the year 1957-58?

The Minister of Education (Dr. K. L. Shrimall): Rs. 11,97,135-86.

The Samaj was also permitted to utilise for the same purpose unspent balances of grants for previous years estimated at Rs. 5.48 lakhs.

छात्रों में अनुशासन

१८८७. श्री जिभूति मिश्र: क्या शिक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार प्राथमिक, माध्यमिक स्कूलों और विश्वविद्यालयों के छात्रों में अनुशासन, नैतिकता एवं ज्ञान की पिपासा उत्पन्न करने के लिये कोई उपयुक्त योजना बना रही है; और

(ख) यदि हां, तो वह किस प्रकार की है ?

शिक्षा मंत्री (डा० का० ला० श्रीमती)

(क) सरकार ऐसी कोई विशिष्ट योजना नहीं बना रही है। तथापि शिक्षा मंत्रालय इस विषय में राज्य सरकारों को समय समय पर सुझाव देता रहा है।

(ख) प्रश्न नहीं उठता।

Delegations to Foreign Countries

1888. { श्री Daljit Singh:
श्री Jadhav:

Will the Minister of Finance be pleased to state:

(a) the number of official delegations sponsored by various Ministries that visited foreign countries during 1958-59 so far;

(b) the objects of visits of those delegations;

(c) the names of countries visited by them; and

(d) the expenditure incurred on each of them?

The Minister of Revenue and Civil Expenditure (Dr. B. Gopala Reddi):

(a) to (d). A statement giving information for the period from 1st May, 1958 to 31st August, 1958 in respect of certain Ministries/Departments is laid on the Table of the House. [See Appendix V, annexure No. 43.] Information in respect of the remaining Ministries/Departments is being collected and will be laid on the Table of the House in due course.

Conference of World Assembly of Youth

1889. Shri A. K. Gopalan: Will the Minister of Education be pleased to state:

(a) whether a Conference of World Assembly of Youth was held in Delhi;

(b) if so, the number of delegates participating from each country; and

(c) the number of delegates attending from India and names of organisations which they represented?

The Minister of Education (Dr. K. L. Shrimall): (a) Yes, Sir.

(b) and (c). The World Assembly of Youth is a Non-Governmental Organisation and this information is not readily available with the Government of India.

Elementary Education during Third Plan Period

1890. Shri Hem Barua: Will the Minister of Education be pleased to state whether it is a fact that Government propose to earmark Rs. 300 crores for elementary education alone to be utilised during the Third Plan period?

The Minister of Education (Dr. K. L. Shrimall): Government will endeavour to provide facilities for universal free and compulsory Primary Education for all children in the country between the ages of 6—11 years by the end of the Third Five Year Plan period and to make adequate expenditure provision for the purpose. It is, however, too early to say what sum it will be possible to provide in this behalf.

Central Litigation

1891. Sardar Iqbal Singh: Will the Minister of Law be pleased to state:

(a) in how many cases Central Government have been made party to litigation in the years 1955-56, 1957-58 and 1958-59 so far;

(b) the amount of cost incurred in defending or prosecuting such cases; and

(c) the amount involved in the suits?

The Minister of Law (Shri A. K. Sen): The information is not readily available. I am getting it collected from the various Ministries and Departments of Government, but this will take considerable time.

Cantonment at Chandigarh

1892. { **Sardar Iqbal Singh:**
Shri Ajit Singh Sarhadi:

Will the Minister of Defence be pleased to state:

(a) whether there is any proposal to establish a cantonment at Chandigarh;

(b) whether any scheme has been drawn for this purpose;

(c) the details of this scheme; and

(d) the progress made so far in this regard?

The Minister of Defence (Shri Krishna Menon): (a) and (d). There is, at present, no firm proposal to establish a Cantonment at Chandigarh. Proposals for locating units where accommodation is already available have been examined. The cases of stations, including Chandigarh, where no built up accommodation is available will now be examined.

(b) No.

(c) Does not arise.

Exploitation of Coal Resources

1893. **Sardar Iqbal Singh:** Will the Minister of Steel, Mines and Fuel be pleased to state the Steps Government propose to take during the remaining period of the Second Five Year Plan to exploit the coal resources of the country to the full capacity?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): The target of additional coal production

was fixed at 22 million tons per annum for the 2nd Five Year Plan. Of this, 10 million tons were allocated to the private sector and 12 million tons to the public sector.

2. All possible facilities have been given by the Government to the private sector to import coal mining machinery. Suitable quotas of iron and steel and other raw materials have also been made available to them. Satisfactory progress has been made by that sector towards the achievement of their target.

3. In the public sector, apart from 1.5 million tons per annum to be raised additionally by the Singareni collieries the National Coal Development Corporation (Private) Ltd. have been entrusted with the task of raising 10.5 million tons per annum mainly from virgin areas.

4. The various stages required for the achievement of this target include the acquiring of land and mining rights, collection of the adequate drilling data, drawing up of the mine plans, ordering of the requisite machinery from abroad and the recruitment and training of the required technical personnel, in addition to the planning and laying of the new railway lines, sidings and bridges. The progress regarding these items is briefly as under:—

(i) Land and mining rights

In respect of new coalfields like Kathara, Gidi and Saunda, the necessary land and mining rights have already been acquired under the Coal Bearing Areas (Acquisition and Development) Act, of 1957. With regard to the remaining areas, necessary steps are afoot.

(ii) Drilling and prospecting

Drilling and prospecting have been completed in certain areas and work in the remaining areas is being done by the units of the Geological Survey of India, Indian Bureau of Mines and

the National Coal Development Corporation.

(iii) *Plant and machinery*

Plant and machinery worth Rs. 7 crores have already been ordered. A large portion of it has already arrived and is being used in the new coal-fields. Action is being taken to obtain the balance requirements under the Exim Bank credit allocations.

(iv) *Railway lines*

The Government have already sanctioned the 50 miles Bijuri-Karonji line in the Central India Coalfields, the extension of the Champa-Korba line, including a bridge across the Hasdeo river, extension of the Patrutu-Damodar line including a bridge across the Damodar river. The question of building 10 mile long railway line to link the Korea blocks with the proposed Chirimiri Road station on the Bijuri-Karonji line is being processed.

(v) *Training*

4 training centres have already been opened to train the junior technical personnel. For the training of mining engineers, provision has been made for additional seats in the Dhanbad School of Mines and the other engineering colleges of the country. Facilities under the foreign aid programmes are also being availed of.

5. In the case of mines like Kathara, parts of Gidi, Saunda and Bachra, proposed to be developed by open cut methods, the overburden is being removed with the help of machinery. In respect of the under-ground mines, the driving of the inclines is progressing satisfactorily. The requisite action in regard to the various complementary steps for the fulfilment of the target is being vigorously pursued.

Coal Supply to States

1894. **Sardar Iqbal Singh:** Will the Minister of Steel, Mines and Fuel be pleased to state the quantity of coal allotted and supplied to each State

during 1955-56, 1957-58 and 1958-59 so far?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): A statement is laid on the Table of the House. [See Appendix V, annexure No. 44.]

Naval Armament Depot, Alwaye

1895. **Shri Kodiyam:** Will the Minister of Defence be pleased to state:

(a) whether it is a fact that the area surrounding the Naval Armament Depot at Alwaye approximately of 4,445 ft. radius from any point on the depot perimeter is likely to be declared a dangerous zone;

(b) whether it has been notified that the above mentioned area is not safe for permanent civilian constructions such as houses, shops, factories etc.; and

(c) if so, whether steps have been taken to give compensation to the owners of land in this area?

The Deputy Minister of Defence (Shri Raghuramiah): (a) Yes, Sir.

(b) The Government of Kerala who were requested to inform the public of the risk involved have issued a Gazette notification to this effect.

(c) The question of payment of compensation is being examined by Government.

Copper in Rajasthan

1896. **Shri Supakar:** Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) the annual estimated output of copper from the Khetri mines of Rajasthan; and

(b) how far the deposits there will be able to meet the needs of copper in the country?

The Minister of Mines and Oil (Shri K. D. Malaviya): (a) and (b). The Indian Bureau of Mines is carrying

out detailed exploration for copper at Khetri in Rajasthan. At the present stage it is not possible to indicate the copper ore that may be mined from this area.

Committees and Commissions

1897. Shri Daljit Singh: Will the Minister of Home Affairs be pleased to state the names of Commissions and Committees which worked under the Ministry of Home Affairs during the period from the 1st January to the 31st July, 1958?

The Minister in the Ministry of Home Affairs (Shri Datar):

1. Standing Fire Advisory Committee.
2. Ad hoc committee set up in connection with the proposed establishment of the Fire Research Stations in India.
3. Jail Manual Committee.
4. Delhi Advisory Committee.
5. Himachal Pradesh Advisory Committee.
6. Manipur Advisory Committee.
7. Tripura Advisory Committee.
8. Rules Revision Committee.
9. Warrant of Precedence Committee.

Tribal Welfare

1898. Shri Daljit Singh: Will the Minister of Home Affairs be pleased to state:

(a) the total amount given to the Punjab Government for implementing the centrally sponsored schemes for Tribal Welfare for the years 1956-57 and 1958-59 so far; and

(b) the names of schemes for which this amount has been given?

The Deputy Minister of Home Affairs (Shrimati Alva): (a) An amount of Rs. 1,245 lakhs was given to the Punjab Government during

1956-57 for implementing the Centrally sponsored schemes for the welfare of Scheduled Tribes and the development of Scheduled areas. For the current financial year, a ceiling of Rs. 10.55 lakhs has been tentatively fixed for the purpose. Under the revised procedure, the grant-in-aid is released monthly in the form of Ways and Means Advances by the Ministry of Finance to be adjusted finally on the basis of actual expenditure.

(b) A statement is laid on the Table of the House. [See Appendix V, annexure No. 45.]

Aid to Punjab

1899. Shri Daljit Singh: Will the Minister of Finance be pleased to state:

(a) the amount of aid given to Punjab Government to raise the salaries of the non-gazetted officers and other low-paid employees of the State during 1957-58;

(b) the proportion of the State contribution towards this; and

(c) whether it has been subscribed fully?

The Minister of Revenue and Civil Expenditure (Dr. B. Gopala Reddi): (a) A grant of Rs. 13,38,000, (Rupees thirteen lakhs and thirty-eight thousand only), representing two-thirds of the estimated expenditure to be incurred by the Government of Punjab for increasing the emoluments of low-paid employees of the State Government and Local Bodies and teachers in private primary schools, was sanctioned by the Ministry of Finance during 1957-58. The grant is subject to final adjustment on the basis of actual entitlement.

(b) One-third of the total expenditure incurred for raising the salaries.

(c) The expenditure involved in sanctioning the increases in emoluments will have to be incurred by the State Government in full in the first instance. Thereafter the Government of India re-imburses its share of the

expenditure, subject to the conditions laid down for the grant of Central assistance being fulfilled.

I.A.F. Station, Gummidipundi

1900. Shri Tridib Kumar Chaudhuri: Will the Minister of Defence be pleased to state:

(a) whether it is a fact that some 4,000 lb. bombs were destroyed by the Indian Air Force at Gummidipundi at the Satyavedu forest near Madras in the first week of July this year;

(b) their costs; and

(c) the reasons that led to the decision to destroy these bombs?

The Deputy Minister of Defence (Sardar Majithia): (a) Yes.

(b) and (c). The bombs had become unserviceable. The question of cost does not, therefore, arise.

I.A.S. (Special Recruitment)

1901. Shri B. C. Mullick: Will the Minister of Home Affairs be pleased to refer to the reply given to Starred Question No. 1813 on the 24th April, 1958 and state:

(a) the number of Scheduled Castes and Scheduled Tribes candidates who qualified in the I.A.S. (Special Recruitment) State-wise; and

(b) how many of the selected candidates from Scheduled Castes and Scheduled Tribes have been absorbed so far?

The Minister in the Ministry of Home Affairs (Shri Datar): (a)

	Scheduled Caste	Scheduled Tribe
Andhra Pradesh	1	1
Assam	Nil	2
Bombay	1	Nil
Madras	1	Nil
Punjab	1	Nil
Uttar Pradesh	1	Nil
West Bengal	2	Nil

(b) Offers of appointment have been sent to all the Scheduled Castes and Scheduled Tribes candidates selected for appointment.

(b) if so, action taken or proposed to be taken in the matter?

The Minister of Revenue and Civil Expenditure (Dr. B. Gopala Reddi):

(a) Yes, the Government have received representations from some Ayurvedic organisations.

(b) The main points raised in the representations relate to:

(i) exemption of Ayurvedic preparations from payment of duty; (ii) simplification of the Forms of accounts prescribed in the Rules; and (iii) difficulties experienced in some States in the sale of Ayurvedic preparations. The action taken in the matter is indicated below:—

(1) At present only two Ayurvedic preparations namely, Drakshasava and Draksharishta are

Medicinal and Toilet Preparations Act, 1955

1902. Shri Jhulan Sinha: Will the Minister of Finance be pleased to state:

(a) whether any representations have been received by Government from Ayurvedic organisations regarding the handicaps and difficulties they have been experiencing due to the enforcement of the Medicinal and Toilet Preparations (Excise Duties) Act, 1955, and the Rules made thereunder with regard to the preparations and sale of the Asavas and Arsthas; and

subject to duty, as these are considered to be capable of being consumed as ordinary alcoholic beverages. The organisations have been informed that if they consider that even these two preparations are not capable of being consumed as ordinary alcoholic beverages, they may send samples to the Standing Committee constituted under the Rules for test.

- (2) The question of simplification of the Forms of accounts has been referred to the State Governments who are concerned with the collection of duty under this Act and to whom the revenue accrues, and necessary action will be taken as soon as their replies are received,
- (3) The organisations have been informed that the control over the sale of these preparations falls outside the scope of the Act and that they may approach the State Governments who are concerned in the matter.

हिमाचल प्रदेश के व्यापारियों की श्रृंखला

१६०३. श्री पद्म देव : क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार को चीनी (जिला महासू) हिमाचल प्रदेश के व्यापारियों से तिब्बत के साथ व्यापार करने के लिये ऋण के हेतु कोई प्रार्थना-पत्र मिले है; और

(ख) यदि हाँ, तो इस सम्बन्ध में क्या कार्यवाही की गई है ?

गृह-कार्य मंत्रालय में र.व्य मंत्री (श्री डा.र.) : (क) जी हाँ, चीनी ट्रेडर्स एसोसियेशन (हिमाचल प्रदेश) की ओर से सरकार को एक आवेदन-पत्र मिला है जिसमें उन्होंने व्यापार के लिये कर्ज मांगा है।

(ख) इस पर विचार किया जा रहा है।

Scheduled Castes, Scheduled Tribes and other Backward Classes in Punjab

1905. **Shri Daljit Singh:** Will the Minister of Home Affairs be pleased to state:

(a) the amount spent out of the allotted amount for the welfare of Scheduled Castes, Scheduled Tribes and other Backward Classes in the Punjab State during 1958-59 so far; and

(b) the nature of schemes on which spent?

The Deputy Minister of Home Affairs (Shrimati Alva): (a) and (b). The quarterly statement of expenditure for the period ending June, 1958 has not yet been received from the State Government. A statement showing the amount allotted for the welfare of these Classes for 1958-59 and the nature of schemes proposed for implementation, is laid on the Table of the House. [See Appendix V, annexure No. 46.]

Vigyan Mandirs in Himachal Pradesh

1906. **Shri Daljit Singh:** Will the Minister of Scientific Research and Cultural Affairs be pleased to state the names of places where Vigyan Mandirs are to be established during 1958-59 in Himachal Pradesh?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): At present there is no proposal to set up any Vigyan Mandir in Himachal Pradesh during 1958-59. One Vigyan Mandir has already been established at Sundernagar (District Mandi) in Himachal Pradesh.

Prohibition

1907. **Shri Daljit Singh:** Will the Minister of Home Affairs be pleased to state:

(a) whether the Punjab Government have asked for financial assistance from the Union Government in order to enforce Prohibition; and

(b) if so, the amount of assistance proposed to be given by the Central Government?

The Minister in the Ministry of Home Affairs (Shri Datar): (a) No.

(b) Does not arise.

Malaria Control Programme in Military Camps

1908. Shri Daljit Singh: Will the Minister of Defence be pleased to state:

(a) whether the anti-relapse therapy measures have been introduced in military centres under the Malaria Control Programmes;

(b) if so, the names of the military centres; and

(c) details of the distribution of Malaria drugs for anti-relapse treatment?

The Deputy Minister of Defence (Sardar Majithia): (a) No, Sir. The Malaria Control Programme has been replaced by the Malaria Eradication Programme in India; and under the latter scheme there is no provision for anti-relapse therapy measures.

(b) and (c). In view of (a) above, parts (b) and (c) of the Question do not arise.

Land Record Department, Himachal Pradesh

1909. Shri Daljit Singh: Will the Minister of Home Affairs be pleased to state:

(a) the number of Government employees in the Land Record Department of Himachal Pradesh;

(b) the number of local employees among them; and

(c) the number of Scheduled Castes among them?

The Minister in the Ministry of Home Affairs (Shri Datar): (a) and (b). The number of employees in the Land Record Department of the territory is reported to be about 670, all of whom excepting about 50, are local persons.

(c) 21.

Commissioner for Scheduled Castes and Scheduled Tribes

1910. Shri Daljit Singh: Will the Minister of Home Affairs be pleased to state the actual establishment expenditure of the office of the Commissioner for Scheduled Castes and Scheduled Tribes during 1957-58?

The Deputy Minister of Home Affairs (Shrimati Alva): During 1957-58, the expenditure on the Commissioner's office at the headquarters amounted to Rs. 2.97 lakhs and on the regional offices to Rs. 2.60 lakhs.

Punjab Tribal Areas

1911. Shri Daljit Singh: Will the Minister of Home Affairs be pleased to state:

(a) the total amount sanctioned during 1958-59 so far for the tribal areas of Punjab; and

(b) the schemes on which the amount will be spent?

The Deputy Minister of Home Affairs (Shrimati Alva): (a) A ceiling of Rs. 2.66 lakhs has been fixed for grant-in-aid to the State Government under the State Sector and of Rs. 10.55 lakhs, under the Central Sector, for the welfare of Scheduled Tribes and development of Scheduled Areas in Punjab.

(b) Two statements giving the schemes separately for the State and the Central Sector of the plan are laid on the Table of the House. [See Appendix V, annexure No. 47.]

Intelligence Bureau Department

1912. { Shri B. K. Gaikwad:
Shri D. A. Katti:
Shri Manay:
Shri Nana Patil:

Will the Minister of Home Affairs be pleased to state:

(a) the number of vacancies advertised for the posts of sub-inspectors (A.C.I.O.) by Intelligence Bureau Department during 1957 and 1958 so far;

(b) how many of them were reserved for the Scheduled Castes and Scheduled Tribes candidates;

(c) how many Scheduled Castes and Scheduled Tribes candidates were called for interview for those posts; and

(d) how many of them were selected and appointed?

The Minister of Home Affairs (Pandit G. B. Pant): (a) The Ministry of Home Affairs issued 5 advertisements for the posts of Sub-Inspectors during this period. The number of vacancies was not mentioned.

(b) Since the number of vacancies was not advertised no specific number was reserved. It was mentioned that candidates belonging to Scheduled Castes and Scheduled Tribes would be given preference if otherwise found suitable.

(c) 107 Scheduled Castes and 18 Scheduled Tribes candidates were called for interview.

(d) One has been appointed and 2 more have been selected but are yet to be appointed. Selection as a result of the fifth advertisement has not yet been finalised.

Government Servants and Politics

1913. { Shri Yadav:
Shri Jagadish Awasthi:

Will the Minister of Home Affairs be pleased to state:

(a) the number of complaints received against the Central Government

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employees for their involvement in active politics in the years 1956, 1957 and 1958 so far; and

(b) the number of Central Government employees who were issued warnings or departmentally proceeded against on political grounds?

The Minister in the Ministry of Home Affairs (Shri Datar): (a) and (b). Information is being collected and will be laid on the Table of the House in due course.

I.A.F. Personnel in France

1915. Shri Dinesh Singh: Will the Minister of Defence be pleased to state what is the total number of Indian Air Force personnel (rank-wise) who are undergoing training in France?

The Deputy Minister of Defence (Sardar Majithia): Nil.

Pearl Mosque in Agra Fort

1916. Shrimati Masida Ahmed: Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) whether it is a fact that the Pearl Mosque in Agra Fort has been heavily damaged by the recent rains; and

(b) if so, the steps being taken for its renovation?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): (a) Due to the rusting of iron cramps and dowels, a gardana stone of the Octagonal tower of Moti Masjid towards the south side fell and caused some damage.

(b) A Scaffolding has been erected and repair work is in hand. A sum of Rs. 2,500 has been provided for special repairs to the Masjid.

Ban on Import of Books

1917. Shri Jagadish Awasthi: Will the Minister of Home Affairs be pleased to lay on the Table a statement showing:

(a) the names of books and their authors and countries of publication

whose import into India was banned under the Sea Customs Act, 1878, in the years 1956, 1957 and upto August 1958;

(b) the reasons for banning the import of publications referred to in part (a) above and the general procedure governing such decisions; and

(c) the number of copies of each publication referred to in part (a) which were impounded by the Customs authorities during the period mentioned in part (a) above?

The Minister of Home Affairs (Pandit G. B. Pant): (a) (i) The 'Ramayana' written by Aubrey Menon and published in the United States of America.

(ii) 'Captive Kashmir' written by Aziz Beg and published in Pakistan.

(b) Import of the books was banned in the public interest. The procedure

in such cases is to issue a notification under section 19 of the Sea Customs Act, 1878, prohibiting import of the specified goods into India.

(c) Nil.

Ministry of Home Affairs

1918. Shri Daljit Singh: Will the Minister of Home Affairs be pleased to state:

(a) the number of Assistants and Clerks working at present in the Ministry of Home Affairs; and

(b) the number of employees among them belonging to Scheduled Castes and Scheduled Tribes?

The Minister in the Ministry of Home Affairs (Shri Datar): (a) and (b). The required information is furnished below:—

Designation of post	Total number of persons employed	Number of Scheduled Castes persons among them	Number of Scheduled Tribes persons among them
Assistants	319	13	Nil
Clerks	684	88	13

12 hrs.

RE: MOTION FOR ADJOURNMENT

Mr. Speaker: We will proceed to the next item. Papers to be laid on the Table.

Shri Vajpayee (Balrampur): I have given notice of an adjournment motion.

Mr. Speaker: I disallowed that motion.

Shri Vajpayee: No, Sir.

Mr. Speaker: I refused to give my consent to that motion.

Shri Vajpayee: You will kindly permit me to raise the question in the form of a Calling Attention motion.

Mr. Speaker: Only yesterday hon. Members came to see me along with leaders of the various groups. I suggested to them that when once I pass order on an adjournment motion, if the hon. Member or Members concerned are not satisfied, they can come and see me in the Chamber. I will waive the time so far as that is concerned. I will discuss it with them and then if I can change my view, I will bring it up before the House the next day. It was only yesterday that this was done and he was also a party to this.

Shri Vajpayee: No, Sir, I was not present yesterday.

Mr. Speaker: I am sorry. If he was not present, he missed the opportunity.

Shri Vajpayee: Therefore, I should be given an opportunity.

Mr. Speaker: No, never. I am telling him what happened and what ought to happen. Whenever an hon. Member tables an adjournment motion, unless I give my consent, I won't allow him to raise it here. I give it in advance. If I have not given my consent, and if he is not satisfied with that and if he has got certain reasons, I do not want to shut him out. He may bring it up to me in my Chamber. I will consider this matter and if I revise my opinion, I will certainly bring it up here the next day. Let us follow that practice instead of creating this kind of disturbance. He may be under the impression that I have disallowed it unnecessarily; I may be under the impression that he unnecessarily gets up notwithstanding my order.

It is not as if it is permanently barred. He can persuade me. Therefore, I request him to come and see me. If he has any doubt and if I agree that it is a matter of such importance, I will bring it up tomorrow. Otherwise, I have suggested certain things to be followed. Nobody should hereafter raise the matter in this way.

12.03 hrs.

PAPERS LAID ON THE TABLE

UNION PUBLIC SERVICE COMMISSION (CONSULTATION) REGULATIONS

The Minister of State in the Ministry of Home Affairs (Shri Datar): I beg to lay on the Table, under article 320(5) of the Constitution, a copy of the Union Public Service Commission (Consultation) Regulations, 1958. [Placed in Library. See No. LT-905|58.]

NOTIFICATIONS UNDER DELHI MUNICIPAL CORPORATION ACT

Shri Datar: I beg to lay on the Table, under sub-section(2) of section 479 of the Delhi Municipal Corpora-

tion Act, 1957, a copy of each of the following Rules:

- (i) Delhi Municipal Corporation (Determination of final issue rate of water) Rules, 1958 published in Delhi Gazette Notification No. 40|5|58(I)—Delhi dated the 22nd August, 1958. [Placed in Library. See No. LT-909|58.]
- (ii) Delhi Municipal Corporation (Determination of cost of disposal of sewage) Rules, 1958, published in Delhi Gazette Notification No. 40|5|58(II)—Delhi dated the 22nd August, 1958. [Placed in Library. See No. LT-910|58.]

AMENDMENTS TO CENTRAL EXCISE RULES

The Deputy Minister of Finance (Shri B. R. Bhagat): I beg to lay on the Table, under section 38 of the Central Excises and Salt Act, 1944, a copy of Notification No. GSR 744 dated the 30th August, 1958, making certain further amendments to the Central Excise Rules, 1944. [Placed in Library. See No. LT-907|58.]

12.04 hrs.

MESSAGES FROM RAJYA SABHA

Secretary: Sir, I have to report the following messages received from the Secretary of Rajya Sabha:—

- (i) "In accordance with the provisions of sub-rule (6) of rule 162 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to return herewith the Central Sales Tax (Second Amendment) Bill, 1958, which was passed by the Lok Sabha at its sitting held on the 28th

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August, 1958, and transmitted to the Rajya Sabha for its recommendations and to state that this House has no recommendations to make to the Lok Sabha in regard to the said Bill".

- (ii) "In accordance with the provisions of rule 125 of the Rules of Procedure and Conduct of Business in the Rajya Sabha I am directed to inform the Lok Sabha that the Rajya Sabha, at its sitting held on the 8th September, 1958, agreed without any amendment to the Sugar Export Promotion Bill, 1958, which was passed by the Lok Sabha at its sitting held on the 26th August, 1958."

12-05 hrs.

PETITION RE: LIABILITY OF STATE IN TORT

श्री अर्जुन सिंह बहारिया । श्रीमन, मैं टार्ट में राज्य के दायित्व के बारे में एक याचिकाकार द्वारा हस्ताक्षर की हुई एक याचिका पेश करता हूँ ।

12-05½ hrs.

STATEMENT RE: EXPLOSION OF AMMUNITION PACKAGES IN PATHANKOT

The Parliamentary Secretary to the Minister of Defence (Shri Fatehsingh-
rao Gaekwad): With your permission, Sir, I would like to make a statement on behalf of Shri V. K. Krishna Menon.

Further to the statements that the Minister of Defence made in this House on the 25th and 27th February, 1958, regarding the explosion at Pathankot, which took place on the 24th February, 1958, I beg to submit that the Court of Inquiry which was instituted to inquire into the explosion has completed its work.....

Mr. Speaker: How long is it?

Shri Fatehsingh-
rao Gaekwad: About two pages.

Mr. Speaker: This is a statement relating to the explosion in Pathankot in February last. It may be laid on the Table. Hon. Members can read it themselves.

(Remainder of the statement laid on the Table)

In accordance with the report submitted by the Court, the number of casualties of Civilians involved in the explosion was 37, of whom 34 died; eleven bodies were recovered and identified and the remaining 23 are missing, presumed to be killed. The number of casualties of Army personnel was 16 of whom 8 died, five bodies were recovered and identified and 2 are missing, believed killed. The damage to the Railway property has been assessed by the Court of Inquiry as Rs. 1,25,300. The loss to the Defence property and stores has not yet been finally assessed, but it is feared that this will be of the order of Rs. 11 lakhs.

The unloading of explosives was being done with due care under the supervision of trained and experienced personnel and there was no evidence of negligence or carelessness on their part. The wagons were received at Pathankot intact and there is no evidence to prove that the explosion was due to any act of sabotage. The civilians who were employed on the unloading work were regular employees of the Ordnance Rail Head group at Pathankot. The explosives in the wagons were inspected prior to their despatch in accordance with the regulations. In view of the fact that most of the essential witnesses died instantly, it was not really possible to say conclusively what was the actual cause of the accident. As all safety

precautions were observed, it is most unlikely that the accident was due to any negligence on anybody's part. However, strict instructions have been issued to all concerned that no efforts should be spared in following the existing regulations with regard to the handling/loading/unloading of ammunition/explosives.

Among the civilians, who were labourers paid from the Defence Services Estimates and who were on *bona fide* duty, 34 were killed and 3 injured, 2 of whom received minor injuries. Immediate interim relief to the extent of Rs. 200 each to the families of those killed and Rs. 100 to one of the injured was paid, as an advance of compensation, pending payment of compensation under the Workmen's Compensation Act, 1923. In regard to the payment of compensation under the Act, a bill for an amount of Rs. 72,600 has been sent to the audit authorities along with relevant connected documents. It is hoped that this payment will be made shortly.

Deaths of all the military personnel who were involved in the accident have been accepted as attributable to their military service. Family pension claims in respect of them are, however, under verification through the civil authorities concerned in accordance with the normal procedure. To avoid hardship, a Pending Enquiry Award, which is equivalent to family pension, has been sanctioned to the nominated/highest eligible heirs of the deceased. The said award is in issue in seven cases. Eighth case is under dispute as there are two claimants and the matter is being verified through the authorities concerned.

Eight military personnel, who were injured in the accident, have been/are being treated in the military hospital. The Medical authorities are of the opinion that it is likely that one of these individuals may have to be boarded out of service. His claim to disability pension will be decided on the basis of the medical report if he has to be invalided out.

12-05½ hrs.

BUSINESS ADVISORY COMMITTEE

TWENTY-NINTH REPORT

The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha): I beg to move:

"That this House agrees with the Twenty-ninth Report of the Business Advisory Committee presented to the House on the 10th September, 1958."

Mr. Speaker: Motion moved:

"That this House agrees with the Twenty-ninth Report of the Business Advisory Committee presented to the House on the 10th September, 1958."

Shrimati Renu Chakravartty (Basirhat): It is rather delicate for me to raise a point regarding this Report. I was invited to attend the meeting of the Committee, but since we were also attending the debate in the House, none of our Members was present there.

I feel that two important subjects have been clubbed together, that is, the question about the Port of Calcutta and the statement of the Minister of Irrigation and Power regarding the Ganga Barrage Project, and two hours have been allotted. In the light of our experience of the Rehabilitation debate yesterday, the time of two hours is too little. I would suggest that at least the maximum that has been allocated, namely, 2½ hours, should be allotted for that debate.

Mr. Speaker: Very well. I can extend it by half an hour.

Shri Braj Raj Singh (Firozabad): I want to point that the Delhi Rent Control Bill is a controversial Bill and the time of 7 hours allotted is not sufficient. Some more time should be allotted.

Mr. Speaker: If any hon. Member wants this matter to be considered as

[Mr. Speaker.]

an amendment, he must table an amendment. Originally four or five hours were allotted to this Bill; now it has been raised to 7 hours, and I have always got discretion to allow one more hour.

Shri Satya Narayan Sinha: It is only being referred to a Joint Committee.

Mr. Speaker: Yes, the Bill is not disposed of clause by clause now. It is going to a Joint Committee.

So far as the other half hour is concerned, it is always within my discretion to allow it.

The question is:

"That this House agrees with the Twenty-ninth Report of the Business Advisory Committee presented to the House on the 10th September, 1958."

The motion was adopted.

12.07 hrs.

DELHI RENT CONTROL BILL— contd.

Mr. Speaker: The House will now proceed with further consideration of the motion moved by Shri Datar on 10th September, 1958 to refer the Delhi Rent Control Bill to a Joint Committee. Out of 7 hours allotted, 5 hours and 45 minutes remain. That means the debate will go on for the whole day today and also sometime tomorrow.

Shri V. P. Nayar (Quilon): Provided quorum is there.

Mr. Speaker: I shall request the hon. Minister to reply tomorrow. Let us carry on as long as we can today.

Shri Prabhat Kar (Hooghly): The time allotted must be extended by an hour.

Mr. Speaker: If hon. Members are willing to sit longer, I have no objection.

Shri P. S. Daulta may now continue his speech.

Shri P. S. Daulta (Jhajjar): I was submitting yesterday that it was the tenant only who wanted a change in the law. The Minister of State in the Ministry of Home Affairs says that he is here with a Bill which is for both the tenant and the landlord. I submitted that this Bill was only for the landlord. I was explaining why this was only for the landlord and while doing so, I submitted that because the situation so far as accommodation was concerned was very tight, it could not be eased without constructing new houses, and private individuals could not do so when the cost of living was so high and the saving, if any, was very poor and the prices of materials were beyond their purchasing power. Then the only alternatives are either that the State should construct buildings, as is done in socialist countries for their citizens, or private investment should be allowed to build houses, as is done in capitalist countries. Therefore, our Government have come and requested the private investors, men with money, to build houses. That is why I say that this Bill is a Bill for the landlords. The very Statement of Objects and Reasons makes it clear. I refer to paragraph 2(a) thereof.

"(a) to devise a suitable machinery for expeditious adjudication of proceedings between landlords and tenants;"

There was a longstanding complaint of the landlords that they cannot eject the tenants easily and it takes a long time. As the hon. Minister of State in his speech has said, so many proceedings are pending and it takes a long time and the trials are protracted, so they were in search of a machinery whereby these proceedings could be disposed of very quickly. So, the first object of Government is to provide a machinery through which they—the

landlords—could eject the tenants, because proceedings between the landlords and the tenants are generally for ejection or for the realisation of arrears of rent.

My hon. friend the Minister has got the statistics of the litigation between landlords and tenants in Delhi. I want to know in how many cases the landlord is the defendant and in how many cases he is the plaintiff. You will find that in 98 per cent. of the cases, the landlord is the plaintiff. In civil and criminal law there was a good feature. In criminal law we had many things for the accused and in civil law many things for the defendant. But, we find that the tendency on the part of Government lately has been to take away the rights of the accused on the criminal side and the rights of the defendant on the civil side. There have been amendments, in order to help the plaintiff, by-passing the ordinary civil courts every day. The other day we had the Eviction Bill. The civil court was by-passed in that. Today we have another Bill in which the civil court is by-passed. These by-passings or safeguards are provided by Government in the name of a machinery for the quick disposal of the thing. So, the first object is secured by this machinery by-passing the civil law. I would request the Members of the Joint Committee to see that these controllers are not given a free hand and that some sort of advisory committees are associated with these controllers.

The second object they say is very good and interesting. It is:

“to provide for the determination of the standard rent payable by tenants of the various categories of premises which should be fair to the tenants, and at the same time, provide incentive for keeping the existing houses in good repairs, and for further investment in house construction;”

They want to do a thing which is impossible. They say that they want to provide fair rent to the tenant and

that fair rent to the tenant should, at the same time, give an incentive to the landlord to build houses. If the rent is fair to the tenant in the circumstances in which we are—the condition of demand of supply remaining the same—it has to be fixed according to the paying capacity which is going down and down because the cost of living is going up and up. In no case, it should be more than 10 per cent. of his income. If the rent is fair to the tenant, it cannot produce any incentive to the landlord to invest money because the investment field being vast he will come to invest only when he gets a lucrative return. So, Government have come forward with a Bill which provides a rent which will produce the incentive to build new houses.

In this connection I want to refer to clause 2, 6 and Second Schedule which deal with standard rent. Clause 6 says how far it is fair rent to the tenant. According to clause 6, the houses of the landlords have been divided into three categories in point of time. The first category of houses are those which were rented before the 2nd June, 1944; the second category is of those houses which were rented after 2nd June, 1944 and before the 2nd June, 1951; and the third category, those houses which were rented after 1951.

Now, let us take the first category. Houses built before 1944 will have a standard rent which will be the basic rent plus 10 per cent. And, the basic rent includes 12½ per cent. increment in residential houses and 15 per cent increment in business premises that has already been given to them. This seemingly 10 per cent., in some cases, will amount to 32 per cent. and in other cases to a bit lower.

How were those houses built then? They were built mostly when the labourer used to charge for the whole day 5 annas or 6 annas, when the prices of the raw material and land were very low. And, there are in

[Shri P. S. Daulta.]

Delhi many landlords who have realised at least 100 times the cost of the houses they built somewhere in the olden days. There was absolutely no justification for increasing their rents. There ought to have been a reduction. But why has this been done? Because the prices of the materials for repairs have gone up and we want to give them more money for repairs.

Please come to clause 43 which deals with repairs. It reads:

"Every landlord shall be bound to keep the premises in good and tenantable repairs, except in cases where the tenant has undertaken by agreement to keep the premises in repairs."

They are increasing the rent on the one hand, and, on the other, there is a suggestion to the landlords to enter into agreements with the tenants and shift this burden of repairs also on to the tenants. I would request the Members of the Joint Committee never to allow it. They should change it and say that in no case the repair has to be done by the tenant. There was no justification in the first category to increase the rent.

Now, coming to the second category, with regard to the houses which were built or rented after 1944 and before 1951. That again has been divided into two categories; one where the rent was determined under the Delhi and Ajmer-Merwara Rent Control Act or under the Delhi and Ajmer Rent Control Act. When the rents were determined at that time, it was basic rent plus 10 per cent. increment. If not determined then, it is 8½ per cent. more. In the second category also there is an increment but it is not 10 per cent. This category has also got previous increments, and they would benefit up to 8½ per cent.

Now, coming to the third category, we find a very interesting thing. In

this category, we find comparatively new houses or brand new houses. In the cases of houses built after 1951 but before 1955, for 7 years no provision of this Act will apply to them in respect of standard rent. Whatever exorbitant rent they were charging for the month of March, 1958 has been regularised. That rate of rent was fixed when the demand was high and the supply was very low and the position was very acute; the landlord demanded an exorbitant rent. When people are thinking that some relief would come to them, Government have regularised this rent for 7 years in the first category; and then, in the case of houses built after 1955 or which are to be built now, for five years again they will be entitled to charge the rent which is settled between the landlord and the tenant under the law of demand and supply.

Thus, there is not a single category of landlords who do not get something or other from this law. For the older houses, it is 10 per cent. or seemingly 10 per cent.; for those which were built later on, for 7 years or 5 years, a clean cheque and after 5 years or 7 years, they will get 8½ per cent. more. How is that cost going to be reasonable and how is it to be ascertained. There is nothing clear in this. There can be two ways. The P.W.D. may do it; they may classify it into different categories, A, B or C according to the material or the landlord goes to the Controller. I do not know how they will provide.

Mr. Speaker: The hon. Member's time is up.

Shri P. S. Daulta: The hon. Minister took one hour. I shall finish in five minutes.

Mr. Speaker: Can each hon. Member say that the Minister took one hour? The Minister takes one hour on behalf of all the Members who speak.

Shri P. S. Daulta: From the Minister's side also, they will speak. So far

as the rent is concerned, all categories of landlords are to get something and when this Bill is passed, thousands and thousands of rupees will go from the pockets of the tenants to the landlords. I put a simple question. Will there be any single tenant in Delhi, who, after the passing of this Bill will pay less than what he pays today? Give me a single instance. Then why say that it is going to be fair rent for the tenant and talk of forcing the landlords and so on? The question of the tenant's security was referred to—security of tenure. There is a strange sentence. I do not know how it has crept in. How dare they say so? All the provisions which the present Act has got enabling the landlord to eject his tenant have been incorporated in this Bill. The only change is the addition of two new grounds. One is that if a tenant enters into a partnership, it will amount to sub-tenancy and he will be liable to be ejected. Under the previous law, a landlord or a member of his family could get a tenant ejected. Now, a new thing has come: 'any person for whose benefit it is held'. All those provisions for ejection plus two more have been put in. This is the sense of security that they are giving to the tenant!

Then, there is clause 10. As soon as the landlord puts an application for a lawful increment, he will get a provisional increased rent from the very day he puts his application. He should get some increase if he makes some alterations.

Then, they say: we have provided that no *pugree* will be allowed. Previously, it was not the law that *pugree* should be taken or realised. But the demand and supply situation will continue like that and people will pay *pugree* but because it is a concealed affair, a *chora-chori* affair, it cannot be proved in court. So, this provision is illusory.

My friend was eloquent about restitution. If a landlord ejected a tenant and after four or five months it is proved that it was not a *bona fide*

ejection and he is not using the house for his personal use, restitution is provided for. Sir, I was ejected from my house in 1947.

Mr. Speaker: In Delhi?

Shri P. S. Daulta: In Rohtak. This restitution law was there. But within fifteen days my landlord who came on pension handed it over to another man. I thought of filing a case but I thought: I have got a house; why should I worry. A person does not live on road for six or seven months. As soon as a tenant is ejected, he will go and find another house by paying *pugree* and when once he is settled, he will not come to see what his old landlord is doing. A tenant once ejected, is ejected for good. I challenge my hon. friend to let me know how many restitution cases are there even though there is such a provision in the present law. Let him give me a single instance in the entire Delhi courts.

About this clause 52, I am subject to correction. The Evacuee Property Acts perhaps safeguard and these provisions may not apply to those houses which were purchased and they are now the full owners. If those houses are let out in rent,—there are quite a number of those houses,—then they will be outside the purview of this clause. It is a very difficult thing.

So, my humble submission is that this Bill is for the land-lords. Will this Government ever dare for giving relief to the tenants in urban areas at the cost of the ownership of their land-lords? My answer is: no; they could not. That is the class character of this Government. I want to refer to the book of the beloved Prime Minister—Discovery of India. Who will inherit power in India after the Britishers? He asks that question and replies: the Indian bania. These people would liquidate the feudal lords of Jodhpur, Bharatpur, Patiala and so on. But they could not touch their own lands, which are of this class. If these families and Channa

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Lals and Shoba Singhs are to be liquidated, people shall have to wait till the time we come into power.

श्रीमती सुभद्रा जोशी (धन्दावाला) : अध्यक्ष महोदय, कई वर्षों से इन्तजार हो रहा था कि किरायेदारों के लिये भ्राप यहां पर कोई बिल लाने वाले हैं। कई वर्षों से किरायेदार जहोजहद कर रहे थे, बहुत बहुत कमेटियां बनीं और बहुत बहुत उस पर विचार हुआ। किरायेदारों की बहुत बहुत एसोसियेशंस बनीं और बहुत बहुत डेपुटेशंस गये हुकूमत के पास और आज जब यह बिल भ्राया तो ऐसा मालूम हुआ जैसे कि किरायेदारों पर अजपात हो गया। मैंने अभी कल और आज उधर की ओर बैठने वाले धानरेबुल मेम्बर की स्पीच सुनी जिन्होंने यह कहा कि यह लैंडलार्ड्स का बिल है। मैं इस में उनके साथ बिलकुल मूतफिक हूं क्योंकि इतने अर्थ से दिल्ली के किरायेदारों को जो परेशानी हुई उसका किसे धन्दावा है? अध्यक्ष महोदय यह बिल तो देख कर ऐसा मालूम हुआ कि जिन लोगों ने इस बिल को ड्राफ्ट किया उनको किरायेदारों की तकलीफों का कतई धन्दावा नहीं था क्योंकि वे लोग इस्टेट आफिसर के घरों में रहते हैं जैसे कि हम सब लोग रहते हैं और अगर इस्टेट आफिसर हमारे साथ वही सलूक करे जो दिल्ली में मकानमालिक अपने किरायेदारों के साथ करते हैं तो हम लोगों को धन्दावा हो कि किरायेदार कितनी तकलीफ में रहते हैं।

यहां पर मुकद्दमों की बात होती है। हम लोग जानते हैं कि नामुनासिब किराया देने के बाद भी जब उसको निकालने का सवाल होता है तो कितने किरायेदारों पर मुकद्दमे होते हैं मकानों के? बहुत कम किरायेदार ऐसे होते हैं जिन पर मुकद्दमा होता है, ज्यादा लावाद तो उनकी होती है जिनको कि मारपीट कर जैसे ही निकाल दिया जाता है। बेशुमार श्रीमती धावमी जिनको कि धमका कर, मारपीट

करके, पैसा देकर लोगों को बुला कर उनको ही निकलवा दिया जाता है। पुलिस के जरिये और जैसे भी लोगों को हायर करके उनसे मारपीट करवा कर निकाल दिया जाता है। कई किरायेदार ऐसे होते हैं जिनको कि एक पानेदार और एक हेड कान्स्टेबल की एक धमकी से बाहर निकाल दिया जाता है। बहुत सारे किरायेदार ऐसे होते हैं जिनको कि क्रिस्म क्रिस्म के इल्लाम लगाकर, चोरी के इलाजाम में पकड़वा दिया जाता है, जिनके कि वारंट आसाम से, यू० पी० से पंजाब से और दूर दूर जगहों से झूठे खिलाफ वारंट ले लिये जाते हैं। क्या वे विचारे अपने डिफेंस में अदालत में बक्रील साहब को ले जा सकते हैं। आज उन लोगों की पुकार को लेकर यहां पर क्रिस्म क्रिस्म की एसोसियेशंस बनीं और उन्होंने अपनी तकलीफें और परेशानियां गवर्नमेंट के सामने रखीं लेकिन मुझे यह कहना पड़ता है कि भ्राप अभी तक उसका कोई इलाज नहीं कर पाये हैं। आज किरायेदारों की सबसे बड़ी परेशानी और तकलीफ उनकी मकानों से बंदखती है। आज दिल्ली के बेशुमार मकान मालिक किरायेदारों को निकाल रहे हैं। वे यह कह कर कि हमें खुद अपने लिये मकान चाहिये किरायेदार से मकान खाली करवा लेते हैं। इस सिलसिले में मैं सदन और मंत्री महोदय को याद दिलाना चाहती हूं कि यहां पर (दिल्ली में) इस चीज की जरूरत समझी गई कि एक Ordinance जारी किया जाय जिससे कि दिल्ली के बेशुमार एविकंशंस को एकदम से रोका जाय, फौरन बीबीस घंटे के अन्दर रोका जाय और दिल्ली स्टेट ने और दिल्ली ऐडमिनिस्ट्रेशन ने यह चीज मांगी कि इसके लिये एक बिल पास किया जाय। उस बिलनेन्स की मांग के बाद भी एक साल लगा जिसके बाद कि यह बिल भ्राया जो इन किरायेदारों को टेम्पोरेरी रीलीफ देता है। उसमें एक क्लॉज था कि मकान

मालिक किरायेदार को अपने लिये सखीघंट एकोनोवेशन न होने पर निकाल सकता था। हमने बहुत कोशिश की कि किसी तरीके से इस क्लॉज को उस बिल में से निकाल दिया जाये और मुझे लुगी है उस वक़्त जो हमारे वक्ता और हाउसिंग के मिनिस्टर थे, जिन्होंने यह बिल पेश किया था, वह उस वक़्त उस चीज़ को एलिमिनेट नहीं करना चाहते थे, पर हमारे होम मिनिस्टर एलिमिनेट करने के लिये मदद करना चाहते थे। लेकिन ब्राज इस बिल में उस चीज़ पर बिल्कुल पानी फिर गया। कहा गया है कि जो पुराना ऐक्ट है वह थोड़ी देर और रहेगा और उसको वह टच नहीं करेगा। पर वह तो पहले ही खत्म होने वाला है। हम लोग सोचते तो यह थे कि यह जो टेम्पोरेरी ऐक्ट था उससे बाद कुछ और खोज की जायेगी और कोई इससे बेहतर ऐक्ट थायेगा जो किरायेदारों को रिलीफ देगा। मुझे तो इस बात का अफ़सोस है कि इस चीज़ को इस बिल में कटई नज़रअन्दाज़ कर दिया गया है। जो टेम्पोरेरी ऐक्ट बन। था उसमें प्रेमिसेज की डेफ़ीनीशन में एक बैंक साइट इन्क्लूड किया गया था दिल्ली में कम से कम ५०,००० लोग ऐसे हैं जो दूसरों की ज़मीनों पर अपने मकान बना कर ब्राज भी रह रहे हैं। इनको भ्रमलेदार कहा जाता है। इन लोगों के इन्विज़न हो रहे थे और उनको कानून से कोई मदद नहीं मिल रही थी। दिल्ली के चीफ़ कमिश्नर जो बहुत कार्रकारी नहीं हैं, उन्होंने भी बहुत कोशिश की कि किसी तरह से इन इन्विज़न्स को रोक सकें। वह सिर्फ़ इसीलिये यह नहीं करना चाहते थे कि ये लोग गरीब भ्राम्यी हैं, बल्कि इसलिये भी कि दिल्ली में मकानों की पहले ही बहुत कमी है और दिल्ली की हुकूमत के पास कोई ऐसा कानून नहीं है कि वह इन लोगों को मकान दे सके।

अभी बड़े दिन पहले आपने कानून पास किया कि जो गवर्नमेंट के प्रेमिसेज हैं उनसे

आप लोगों को निकाल सकते हैं। यहां पर फ़िगर्स कोट हुई जिनसे मालूम हुआ कि ऐसे लोगों की तादाद हजारों में है जिनको निकालने को पावर गवर्नमेंट ने जी है। पर हमने उस पर कोई ऐतराज नहीं किया क्योंकि यह पावर गवर्नमेंट की है। जब वह उस पावर को इस्तेमाल करेगी तो वह लोगों की चीज़ पुकार सुन सकती है और फ़रियाद सुन सकती है। हम लोग भी जा कर उससे धरील कर सकते हैं। पर यहां तो आप यह पावर उन लोगों को दे रहे हैं जो कि प्राइवेट मकान मालिक हैं जो कि किरायेदारों का खून चूसते रहे हैं और जिनके सामने पैसा बनाने के भलावा और कोई चीज़ नहीं है। तो यह चीज़ मेरी समझ में नहीं आती। मुझे इस बात का अफ़सोस है कि पहले आपने जो भ्रमलेदारों को रिलीफ़ दिया था उसको अब डेफ़ीनीशन में से हटा दिया है।

इसके साथ दूसरी भी कुछ चीज़ें हैं जिनके लिये मुझे अफ़सोस है

Shri Naushir Bharucha (East Khandesh): What is the use of your aphors, if you are going to vote for the Bill?

Shri P. S. Daulta: No, she will vote with us.

श्रीमती सुभ : जोशी : दूसरी एक चीज़ से मुझे बहुत ताज़्जुब है और वह इस चीज़ से कि आपने इस बिल में मोना-फायडी ज़रूरत की हालत में मकान खाली कराने की इजाजत दे दी है। किरायेदारों को इस क्लॉज से बहुत तकलीफ़ है। हम लैंडलार्ड्स से सब कुछ नहीं ले लेना चाहते लेकिन जब इतनी ज़होर्जहद के बाद यह बिल थाया, इतनी परेशानी के बाद यह बिल थाया, तो मेरे मन में यह बात आयी कि इस तरह के बिल की बात करना बेकार ही है। मुझे ऐसा लगा कि मकान मालिकों और

[बीमती सुमदा जोशी]

किरायेदारों के तात्कालिक को कोई रेग्युलेट कर नहीं सकता। अगर हमारी सोशलिस्ट हुकूमत ऐसा नहीं कर सकती तो कौन कर सकता है। तो मेरे मन में यह बात आयी कि हमको एक फारमूला ईजाद करना चाहिये। वह यह कि जब किरायेदार मकान की कीमत घटा कर चुके तो किरायेदार की मकान मालिक बना देता चाहिये और उसको नहीं निकाला जाना चाहिये। मुझे तो इनके मानी नहीं समझ में आते कि किस तरह से हम टिनेन्ट्स को प्रोटेक्शन दे रहे हैं। आपने पिछली बरसों के लिये किराये रेग्युलेट किये थे पर आगे के लिये कुछ दे दो यो कि जो चान्से लो। हमने समझा था कि पहले कानून का पीरियड खत्म होने वाला है, हमारी हुकूमत किरायेदारों की इस तकलीफ को महसूस करेगी और जो पहले छूट दे दी थी उससे किरायेदारों की तकलीफ बड़ी है, उस तरह की गलती आगे नहीं होगी। पर हम देखते हैं कि जो कानून बना उसमें यह है कि जितना चाहो लो। जो छीन लिया वह तो तुम्हारा हो ही गया और आगे जो छीन ले वह भी तुम्हारा। आज कोई मेरा सामान छीन ले मेरी किसी परेशानी और मजबूरी की वजह से, और मैं फरियाद ले कर जाऊं तो हमारे होम मिनिस्टर साहब कहें कि इसने जो छीन लिया वह तो इसका और उसको और आगे छीनने की इजाजत दे दें। यह बात तो इस तरह की हुई। कहा जाता है कि इससे मकान मालिकों को इन्स्टेन्टिव मिलेगा। आज हम प्राइवेट एंटरप्राइज में ज्यादा से ज्यादा धखल दे रहे हैं और खुराक का मसला और मकान का मसला ऐसा नहीं है कि जहां पर लोगों को इस तरह की खुली छूट दे दी जाये।

अक्सर मकान मालिकों की तरफ से यह प्ली ली जाती है कि इन मकान मालिकों में बेशुमार विधवायें हैं जिनकी कमाई का

कोई और जरिया नहीं है, सिर्फ एक कोठरी से उनकी धामदनी होती है। पर मकान मालिकों में ही सिर्फ विधवाओं की गिनती बहुत ज्यादा नहीं है। किरायेदार भी बेशुमार तादाद में विधवा बहिन हैं यह मैं होम मिनिस्टर साहब से भर्ज करना चाहती हूं। आज हो यह रहा है कि किसी ने एक मकान बना लिया, बरसों उसका किराया लिया जा रहा है। दिल्ली में किराया ज्यादा होने की वजह से बाहर के पैसे वाले एट्रैक्ट हुये और वे पैसे की पैलियां लेकर आये और उन्होंने जमीन खरीदी और मकान बनाये और जो यहां पर पहले से ही जमीन की दिक्कत थी उसको और बढ़ा दिया। जो पहले से मकानों की किल्लत थी उसको इन लोगों ने और बढ़ा दिया। और आज आप ने कह दिया कि उन लोगों से कि जो तुम ने किया वह बहुत अच्छा किया, पांच, दस बरस तुम को और छुट्टी है जो चाहो लेते जाओ। तो हम लोग इस बिल को देख कर परेशान हैं और यह हमारी समझ में नहीं आता।

अभी एक माननीय सदस्य ने सिलेक्ट कमेटी के सदस्यों से रिक्वेस्ट की कि वे इसमें कुछ सुधार कर सकेंगे। लेकिन मुझ को उम्मीद नहीं कि सिलेक्ट कमेटी इसमें कुछ सुधार कर सकेगी क्योंकि यह तो शुरू से ग्राविर तक गलत है, और इतना नामुनासिब है कि सिलेक्ट कमेटी इसकी कौन कौन सी साइन बदलेगी, और कौन कौन से इसमें जेंज करेगी। ऐसा करना बहुत मुश्किल है। इस लिये मैं होम मिनिस्टर साहब से दरखास्त करूंगी कि सिलेक्ट कमेटी के प्रस्ताव भी वे देखें कि इसको किस तरह से ठीक कर सकते हैं।

इस बिल में गवर्नमेंट ने इस काम के लिये एक स्पीडी मैशिनरी बना दी है। अभी तक तो यह होता था कि किरायेदार

घरायश में बार बार जाता था और किसी तरह से साल दो साल निकाल देता था। हमारे पार्लियामेंट के मुतालिक जो रीटेशन होते हैं उनमें पांच पांच साल लग जाते हैं। तो इसी तरह से बहुत से किरायेदार भी मकानों में बैठे रहते थे। पर यह जो मैशिनरी बना दी गयी है यह इस काम को तेजी से करेगी और निकलने वालों की तादाद बेशुमार बढ़ जायेगी। अभी तो सिविल जज इस काम को करते हैं। उनके पास सिर्फ यही काम तो होता नहीं और भी बहुत से काम रहते हैं। लेकिन यह जो नई मैशिनरी बनायी जायेगी इसको तो मकान मालिकों का भगवान बना दिया गया है, क्योंकि इस के पास तो किरायेदारों को निकालने के सिवा और कोई काम ही नहीं रहेगा। वह रोज रोज इसी काम को किया करेगी। इसलिये मेरी होम मिनिस्टर साहब से दरखास्त है कि इस बिल को अभी भी ठीक करने की कोशिश करें, इसके सिवा और कोई इलाज नहीं हो सकता। इस बिल से दिल्ली के किरायेदारों को बहुत मायूसी हुई है, और हम लोगों को भी जिन्होंने बरसों तक इस काम के लिये कोशिश की बहुत मायूसी हुई है। और जो आपने टिनेन्ट्स को प्रोटेक्शन दे रखा था उस पर तो इस बिल से कतई पानी फिर गया है। आपने जो पहले १०० रुपये तक के किरायेदार को प्रोटेक्शन दिया था वह भी इस बिल में गायब है। अब उसको भी प्रोटेक्शन नहीं रहेगा। उसको जो पहले प्रोटेक्शन मिला हुआ था वह भी इस कानून से खत्म हो जायेगा। मैं पूछती हूँ कि किसने इस बिल की मांग की थी, कौन इसके लिये आपके पास आया था, किसने इसके लिये ऐंजीटेशन किया था? किरायेदारों ने जो कि बेहद परेशान हैं और जिनकी गिनती दिल्ली में हजारों में है। लेकिन जो आज आप बिल लाये हैं उससे जैसा कि मैं ने पहले कहा, दिल्ली के किरायेदारों की तकलीफ बढ़ जायेगी। मैं दरखास्त

करती हूँ कि आप इस पर सोचें, और इस बिल को ठीक करने की कोशिश करें और उनकी उम्मीदों पर पावी न करें।

Mr. Speaker: Now, Dr. Sushila Nayar. Thereafter, I shall call Shri Radha Raman and Shri Naval Prabhakar. They are natives of Delhi. Of course, I shall call others also.

Shri Vajpayee (Balrampur): We also want to speak.

Mr. Speaker: I shall call other hon. Members also.

डा० सुशिला नायर (सांसी) : माननीय अध्यक्ष महोदय, जो कानून सदन के सामने रखा गया है, उस में सुधार की काफी गुंजायश है, इस से मैं सहमत हूँ। इसके साथ मैं यह भी कहना चाहती हूँ कि सरकार के सामने हर एक सवाल के दोनों पहलू रहने चाहिये और यह कानून बनाते वक्त भी दोनों पहलू सामने रखे गये हूँ। इस बिल के अनुसार एविकेशन के लिये जो स्पीडी मशीनरी बनाई गई है, उस में मैं कोई बहुत बड़ा दोष नहीं देखती हूँ, क्योंकि आज जिन जगहों पर घन-अधाराइज्ड आकुपेशन किया गया है, वहां घन-अधाराइज्ड आकुपेंट्स को—घनचिकृत तौर पर कब्जा करने वालों को—भी कोई नहीं निकाल सकता है।

Shri P. S. Daulta: There is a separate law for that.

डा० सुशिला नायर : मैं जानती हूँ कि अस्पतालों और स्कूलों की जगह पर घन-अधाराइज्ड आकुपेशन किया जाता है, लेकिन उस जगह को खाली नहीं कराया जा सकता है। मैं जानती हूँ कि कई गरीब छोटे टीचरों को इस कारण से बड़ी तकलीफ होती है। एक टीचर बदल जाता है। उस की जगह दूसरे टीचर को आकर रहना है, लेकिन पहला टीचर नहीं निकलता है। वह क्या करे? सरकार कहती है स्कूल की मनेजिंग कमेटी

[डा० सुशीमा नायर]

कहती है कि हमारे सामने कोई रास्ता नहीं है कि हम यह मकान खाली करवा कर उस टीचर को दे सकें जिस को कि यहां रहना चाहिये। भ्रष्टतालों की नसिख के किस्से मेरे पास हैं। एक नर्स बर्खास्त हो जाती है। या रिटायर हो जाती है। वह अपने मकान से निकलती नहीं है। जिस नर्स नर्स को घा कर भ्रष्टताल में काम करना है, उस का वहां रहना जरूरी है, लेकिन वह नहीं रह सकती है। मेनेजमेंट कहता है कि "बहन जी, हम क्या करें? हमारे पास कोई रास्ता नहीं है जिस से हम मकान खाली करवा सकें"। मैं समझती हूं कि ऐसे केसिज में, जहां अनधिकृत लोग घा कर बैठ जाते हैं, बैठे रहते हैं, खाली नहीं करते हैं, जगह खाली कराने के लिये स्पीडी मशीनरी का होना आवश्यक है और वह इस बिल में रखी गई है, यह एक बहुत योग्य काम किया गया है। लेकिन मिनिस्टर साहब को यह देखना है कि जब यह मशीनरी इसी काम के लिये है कि विशेष परिस्थिति में लोगों को निकालना है। जैसा कि भ्रमी सुमद्रा जी ने कहा है, कहीं ऐसा न हो कि यह लैंड-लार्ड्स की मशीन बन जाय—कहीं लैंड-लार्ड्स की सेविका न बन जाय और वह कहीं बिना डिस्ट्रिक्मिनेशन, जहां जिस को चाहिए, उठा उठा कर निकालने न लगे और इन बेचारों को कह दिया जाय कि तुम वापिस कब्जा लेने के लिये मुकदमा लड़ते रहो। जाहिर है कि उन लोगों के पास मुकदमा सड़ने की ताकत नहीं है।

घाज किराये दार को निकालना एक जहम है, कठिनाई की बात है। उस में कम से कम दो साल लग जाते हैं। तो क्या घाज दिल्ली की भ्रष्टालों में पांच छः हजार केसिज एविकेशन के पड़े हुये हैं, ऐसा मुझे बताया गया है। ऐसी सूरत में मिनिस्टर महोदय से मेरा यह निवेदन है कि उन में कुछ ऐसे केसिज हैं, जिन को इस कानून के पास होने के बाद प्रोटेक्शन मिलेगी। क्या मिनिस्टर महोदय से यह कहना कुछ

बहुत बड़ी मांग होगी कि जब तक नया कानून लागू होता है, तब तक ये पांच छः हजार केसिज मुस्तवी कर दिये जायें और उन लोगों को एविकेशन से बचा लिया जाय? यह एक मुनासिब मांग है और मेरा ख्याल है कि मिनिस्टर महोदय इस की तरफ तवज्जह देंगे। मैं समझती हूं कि इस कानून के लागू होने में दो चार महीने लग जायेंगे—दिसम्बर, जनवरी घा जायगा, ऐसा सुना जाता है। तो इन दो चार महीनों में कोई बहुत बड़ा नुकसान नहीं हो जाने वाला है। मालिक-मकानों ने जहां साल-साल, दो दो साल तक पहले मुकदमे लड़े हैं, वहां दो चार महीने और ठहरने से कोई बहुत बड़ा फर्क नहीं पड़ने वाला है। अगर इन केसिज को मुस्तवी कर दिया जाता है, तो जिन लोगों को घाज के कानून के मुताबिक निकाला जा रहा है और भ्रान्त वाले कानून से जिन की रक्षा हो सकती है, कम से कम उनको इतनी सुरक्षा मिल जायगी, और जिन्हें वह सुरक्षा नहीं मिलने वाली होगी, उन्हें भी कम से कम नई जगह ढूंढने के लिये दो चार महीने का समय मिल जायगा। इस लिये अगर इन केसिज की तरफ मिनिस्टर महोदय तवज्जह दे सकें, तो अच्छी बात होगी।

जहां तक किराये का सवाल है, यह घाशा रखना कि कानून बनाने से पगड़ी बन्द हो जायगी, मेरा ख्याल है कि यह कुछ बहुत रीयलैस्टिक थ्यू नहीं है। इस वक्त दिल्ली में ऐसे मकान बने हैं, जिन के लिये लोगों ने पांच पांच साल का किराया एडवांस—पगड़ी के तरीके से—वसूल किया है, जिसका नतीजा यह है कि भ्रगले पांच साल में उन को मुफ्त की सारी भ्रामदनी होने वाली है, उन को नफ़ा ही नफ़ा है। जो एडवांस लिया है, उससे मकान का खर्च वसूल हो गया और उनको सिर्फ़ जमीन की कीमत देनी पड़ी होगी। इस कानून से पगड़ियां बन्द हो जायेंगी, ऐसा मुझे नजर नहीं आता है। मुझे तो लगता

है कि पगड़ियों को बन्ध करने का एक ही तरीका हो सकता है और वह यह है कि अधिक से अधिक कंस्ट्रक्शन गवर्नमेंट खुद करे। कम से कम आज जितने सरकारी नौकर हैं—स्कूलों में, अस्पतालों में और दूसरी जगहों में जो सरकारी नौकर हैं—उन सब लोगों को जरूरत के लिये मकान सरकार के पास होने चाहिये, इस में मुझे शक नहीं है। आज क्या होता है? बड़े भ्रष्टारों के लिये तो मकान बन जाते हैं, लेकिन जो क्लास फ़ोर के लोग हैं—वे चाहे अस्पताल में हों, स्कूल में हों या कालेज में हों—उन के लिये एकांमोडेशन काफ़ी नहीं है। घाप स्वीपर्स को देखिये, जमादारों को देखिये, उनके लिये आवश्यक एकांमोडेशन नहीं है। इस सदन में कई दफ़ा यह चर्चा हुई है कि भ्रष्ट-भ्रष्टाराइज्ड स्ट्रक्चर्स बढ़ते जा रहे हैं। मुझे भी इस बात का भ्रमसोस है कि भ्रष्ट-भ्रष्टाराइज्ड स्ट्रक्चर्स खड़े होते हैं और नए नए स्लम्ज बनते जाते हैं, बढ़ते जाते हैं। लेकिन घाप विचार करें कि ऐसा क्यों होता है। नई दिल्ली में जहां बापू जी आ कर रहा करते थे, वहां पर एक भंगी कालोनी है, बाल्मीकी मन्दिर है। १९५० में हम में से कुछ लोगों ने यह ख्याल किया कि इस जगह के पीछे गन्दी गन्दी झोंपड़ियां हों, स्लम्ज हों, लोग बुरी कन्डीशन में रहते हों, यह कोई अच्छी बात नहीं है। कई लोगों ने मिल मिला कर मेहनत की और स्वीपर्स के लिये ४०० क्वाटर्स बन गए। उन लोगों को वहां बसा दिया गया, लेकिन जो पुरानी झोंपड़ियां थीं, वे फिर भर गईं और बढ़ गयीं, क्यों बढ़ गईं? एक तो इस लिये कि म्यूनिसिपैलिटी ने अपनी कार्य-वाही ठीक तरह से नहीं की, लेकिन असल कारण उन के बढ़ने का यह था कि वहां की गन्दी से गन्दी झोंपड़ियां भी शहर के भीतर के स्लम्ज से बेहतर थीं। जो सैकड़ों, हजारों लोग—क्लास कर के स्वीपर क्लास के लोग—दिल्ली शहर के भीतर के स्लम्ज में रह रहे थे, वे वहां से उठ कर इन टूटी फूटी झोंपड़ियों में, जहां सैनिटेशन बगैरह कुछ मुनासिब नहीं है, रहने लग गये, क्योंकि वहां के हालात

शहर के हालात से बहुत बेहतर हैं—कम से कम वहां की हवा तो शहर की गन्दी हवा से बेहतर है। इस लिये मैं समझती हूं कि मकान-मालिकों को ज्यादा किराये का इन्सेन्टिव देकर मकान बनाने की जो आशा रखी गई है, वह कुछ ज्यादा मुनासिब चीज नहीं है। उस की जगह पर सरकार खुद अपने इनिशिएटिव पर ज्यादा से ज्यादा मकान बनाये। वह इस किस्म के मकान बनाये, जिस में गरीब आदमी मुनासिब किराया दे कर रह सकें और उन को हिरासमेंट करने वाला कोई न हो।

इसके साथ ही साथ यह भी जरूरी है कि सरकार के पास उन केसिज में कार्यवाही करने का अधिकार हो, पावर हो, जहां लोगों को दिल्ली में उन मकानों में रहने का अधिकार नहीं है, आवश्यकता नहीं है, मगर जो खाली इस शीक से रह रहे हैं कि दिल्ली में ही रहना है, जिन की नौकरी सत्य हो गई है, गांव में घरबार है, लेकिन वहां जाने के बदले वे हमेशा के लिये दिल्ली में बसना चाहते हैं। जिस का काम दिल्ली में है, जिस का दिल्ली में रहना जरूरी है, उन के लिये यह आवश्यक है कि सरकार खुद मुनासिब किराये के मकान बनाये और अगर किसी से बनवाना भी है, तो किराये पर कानू रखें। जहां तक दस परसेंट किराया बढ़ा कर मालिक-मकानों को प्रोत्साहन देने की बात है, वह नामुनासिब है। सरकार या खुद बनाये या एनशोअर करे कि मुनासिब किराये पर गरीब आदमी मकान में रहे और उन्हें उतना ही किराया भ्रदा करना पड़े, जितना कि उसकी ताकत में है ताकि वह अपना गुजर बसर कर सके।

इन शब्दों के साथ, अध्यक्ष महोदय, मैं फिर से माननीय मंत्री महोदय से प्रार्थना करती हूं कि यह कानून जब तक लागू होता है तब तक के लिये पांच छः हजार केसिज जो दिल्ली की कोर्ट्स में पड़े हुये हैं उनको रकबा दिया जाये और जो भी प्रोटेशन उनको दी जा सकती है दी जाये। मैं यह भी चाहती हूं

[डा० सुधीला नायर]

कि ज्वार्ट कमेटी जिसको कि यह बिल जा रहा है, इस बात की तरफ अधिक से अधिक ध्यान दे कि जहां धनधाधोराइज्ज धीकू-पेक्षन वालों को निकालना आवश्यक है, जल्दी भी निकालना आवश्यक है वहां जो जेन्विन केसिस है, जो सचमुच में मुसीबत के मारे हुए गरीब लोग हैं, उन लोगों को हिरास करने के लिये यह मशीनरी मकान मालिकों की कहीं टूल न बन जाये, उसका पूरा ध्यान रखा जाये।

श्री नवल प्रभाकर (बाह्य दिल्ली-रजित-अनुसूचित जातियां) : अध्यक्ष महोदय, यह जो किराया नियंत्रण विधेयक हमारे सम्मुख उपस्थित है, उसमें सबसे पहली बात तो यह है कि दिल्ली में जो किराये के मकानों में रहते हैं, उनके अन्दर इस बिल से प्रकाशित होने के बाद कुछ ऐसी भावना पैदा हो गई है, कि उनको इससे संतोष नहीं है। मैं माननीय मंत्री महोदय से प्रार्थना करना चाहता हूं कि जब किरायेदारों की खातिर इस बिल को यहां उपस्थित किया गया है, तो यह देखा जाना चाहिये कि उनको कुछ संतोष मिले, कुछ राहत मिले और उनके हितों की ओर अधिक ध्यान दिया जाये। यह बिल किरायेदारों की प्रार्थना पर ही यहां लाया गया है।

जैसा कि श्रीमती सुभद्रा जोशी ने कहा मैं भी यह जरूर चाहूंगा कि यहां दिल्ली में बहुत बड़ी तादाद में ऐसे किरायेदार हैं जिन्होंने केवल जमीन ही किराये पर ली हुई है और वे उस पर अपने छोटे छोटे घर बना कर बैठे हुये हैं, उनको भी इस बिल में कुछ संरक्षण दिये जाने चाहिये थे, जोकि नहीं दिये गये हैं। उदाहरण के लिये मैं आपको बतलाना चाहता हूं कि यहां पर एक कटवा गौरी शंकर है। भाव से कोई बीस बरस पहले राजस्थान के कुछ मजदूर जोकि मकान बनाने का काम करते हैं, यहां आये और उस जमीन पर बस गये।

उस समय उस भूमि की कोई कीमत नहीं थी। एक रुपया महीना के ऊपर एक झोंपड़ी या एक घर बनाने के लिये उनको किराये पर मकान दिये गये। वहां पर उन परिवारों ने, जिन की संख्या कोई डेढ़ दो सौ है, मकान बनाये। जब उन लोगों ने मकान बना लिये तो बीरे बीरे वहां की धाबादी बढ़ती गई, मकान बनते गये और आज वह इलाका बीच में आ गया है। पिछले दिनों उस जगह का जो लैंड-लाई है, जोकि एक बहुत बड़ा लैंडलाई है, तथा जिसके बहुत मकान हैं और व्यापार भी वह यही करता है, उन लोगों के खिलाफ डिक्री ले ली। उस केस में दो तरह के फैसले हुये। एक जज ने एक तरह का फैसला दिया तथा दूसरे जज महोदय ने दूसरी तरह का। एक ने तो यह कहा कि जो बिल्डिंग है उसका भ्रम कदापि यह नहीं है कि जो स्ट्रक्चर होगा ऊपर बना हुआ वही बिल्डिंग होती है। वह कहते हैं कि जब तक भूमि नहीं होगी तब तक बिल्डिंग कैसे खड़ी हो सकती है। इस तरह से वह कहते हैं कि भूमि और बिल्डिंग दोनों को मिला कर बिल्डिंग बनती है। किन्तु इसके विपरीत दूसरे जज महोदय ने कहा कि बिल्डिंग का भ्रम वह स्ट्रक्चर है जोकि उस जमीन पर खड़ा किया जाता है। इसका भ्रम जमीन से बिल्कुल नहीं है। इसलिये जमीन से उसको बेदखल कर देना चाहिये। उनका यह भी कहना है कि जो दीवारें उस पर खड़ी की गई हैं उनको उठा लेना चाहिये। इस तरह के ये दो भलग भलग फैसले हैं। इसके बाद सोचा गया कि शायद गन्दी बस्तियों के बारे में जो अधिनियम बना हुआ है उसके अन्तर्गत इनको कुछ राहत मिल जाये किन्तु उसमें भी इनके लिये किसी प्रकार के संरक्षण की व्यवस्था नहीं की गई है। इस वास्ते मैं चाहता हूं कि इस तरह के केसिस को कवर करने के लिये इसमें कुछ धारायें जोड़ दी जायें। इन लोगों के यहां पर बड़े बड़े नगर के नाम से बस्तियां बनी हुई हैं। एक ठक्कर बापा नगर है और वहां पर सब के सब इसी तरह के लोग रहते हैं। एक खान सिंह नगर है, वहां

पर भी इसी तरह के लोग बसे हुये हैं। इसी तरह से और भी जगहें हैं जहां पर कि इस तरह के लोग बहुत बड़ी तादाद में रहते हैं। अगर आपने इन लोगों को संरक्षण प्रदान करने की कोई व्यवस्था कर दी तो इनको बहुत संतोष मिलेगा। इनको राहत पहुंचाने का, मैं चाहता हूं, कोई न कोई रास्ता अपनाया जाना चाहिये।

चूंकि किरायेदारों को सिर छिपाने के लिये जगह चाहिये होती है, इस लिये जब वे मकान मालिक के पास जाते हैं तो उससे प्रार्थना करते हैं कि मकान को उनको किराये पर दे दिया जाये तो मकान मालिक उनसे कहता है कि मकान बहुत बड़ा है इसलिये क्या तुम अगले इसको किराये पर ले सकते हो। वह व्यक्ति कहता है कि मेरे में इतनी हैमियत नहीं है कि मैं अकेला इसको किराये पर लूँ। इस पर वह मकान मालिक कहता है कि तुम किसी और किरायेदार को अपने साथ रख लो। इस पर वह किरायेदार किसी दूसरे व्यक्ति की तालाश में भागा फिरता है और जब वह दो तीन आदमियों को साथ लेकर उस मकान मालिक के पास आता है और बातचीत करता है तो मालिक मकान उसको बतलाता है कि तुम में से एक ही इस सारे मकान को किराये पर लो, फिर चाहे तुम दूसरों को अपने साथ रख लो। अगर तुम दूसरों को अपने साथ रख लो तो मुझे कोई एतराज नहीं है लेकिन मैं अलग अलग रमीदें तीनों के नाम नहीं दूंगा। मैं किसी भी एक के नाम पर रसोद दूंगा। और वह पैसा इकट्ठा करके मुझे दे सकता है और उसी के नाम पर मैं रमीद दिया करूंगा। उस समय तो मद-भावना होती है और किरायेदारों को भी जरूरत होती है क्योंकि उनके पास सिर छिपाने के लिये कोई जगह नहीं होती है, इस वास्ते वे मान जाते हैं लेकिन कुछ वक्त बाद वह सद्भावना खत्म हो जाती है और तब मकान मालिक कहता है कि भाई तुम ने तो ये दो और किरायेदार यहां बसा लिये हैं,

तुमने मकान को सब-लेट कर दिया है और इस बिना पर वह उनको हंगस करना शुरू कर देता है। मैं चाहता हूं कि ऐसे केसिम में किरायेदारों को प्रोटेक्शन देने के वास्ते इस विधेयक में कुछ न कुछ किया जाना चाहिये। मैं आपको बतलाना चाहता हूं कि सन् १९५२ का जो विधेयक है उसमें इस तरह की बात है, उसमें इस तरह का आश्वासन दिया गया है और मैं चाहता हूं कि अगर यह चीज आगे भी कायम रहे तो अच्छा होगा।

तीसरी बात मैं यह कहना चाहता हूं कि एक जमीन खरीदी जाती है और उसको खरीदा इसलिये जाता है कि वहां पर रिहायशी मकान बनाया जायेगा। किन्तु कुछ मकान मालिक ऐसे भी होते हैं जहां वहां पर दुकान बना लेते हैं। जब किरायेदार आता है तो वह उसको कहता है कि यह दुकान है तुम इसमें ले लो। वह बंवाग पूछता भी है कि यह प्लॉट रिहायशी मकान के लिये है या दुकान के लिये। उसको यह जवाब दिया जाता है कि आपको क्या मतलब, आप तो यह दुकान है इसको ले लो। वह व्यक्ति उसको ले लेता है। ऐसी अवस्था में जब उस व्यक्ति को उस मालिक मकान ने निकालना होता है तो वह अधिकारी वर्ग के पास चला जाता है और वहां से नोटिस इशू करवा लेता है। मान लीजिये कि इम्प्रूवमेंट ट्रस्ट की जमीन है और वह लीज पर ली हुई है और वह जमीन रिहायशी मकान के लिये दी गई है। वहां पर वह व्यक्ति जिसने उसको लीज पर लिया है, दुकान बना लेता है और किराये पर दे देता है। अब वह आदमी जिसने वहां दुकान बनाई है इम्प्रूवमेंट ट्रस्ट में चला जायेगा और जाकर कहेगा कि आप इस आशय का एक नोटिस दे दें। बड़ी सरलता से वह नोटिस दे दिया जायेगा। तब वह किरायेदार को कहेगा कि क्योंकि वह रिहायशी मकान का प्लॉट है और चूंकि मेरे पास नोटिस भी आ गया है, इसलिये आप वहां से चले जायें। ऐसी हालत में जो पैनलटी इत्यादि इम्प्रूवमेंट ट्रस्ट को

[श्री नवल प्रभाकर]

देनी पड़े वह उस किरायेदार को न निकालकर मकान मालिक को कहा जाये कि वह सभी पेनेलेटीस वगैरह दे क्योंकि वह मकान मालिक का कर्त्तव्य है कि वह अपने वाले किरायेदार को बतलाये कि उसकी जो वह जगह रिहायगी काम के लिये है, आवास के लिये है, यहां पर दुकान नहीं खोली जा सकती है। इसके बाद यदि वह व्यक्ति दुकान खोलता है तो उस सूरत में जो मकान मालिक है उसका कोई दोष नहीं रह जाता है। अतः मैं यह चाहता हूं कि इसके बारे में भी इस बिल के अन्दर कोई न कोई प्राविजन होना चाहिये।

पिछली बार जब इसी तरह के दूसरे बिल पर बहस हुई थी तब मैंने कहा था कि साधारणतः यही बात कही जाती है कि यह मकान भरा हुआ है। उस भरे हुये मकान में बहुत से किरायेदार हैं। किन्तु एक व्यक्ति जो मुकदमेबाजी में बहुत ही प्रवीण है, आता है और १०, १५ २० हजार, जितनी भी मकान की हैसियत होती है उस में वह लाभ से खरीद लेता है। मान लीजिये कि एक मकान १ लाख ६० कीमत का है, लेकिन अगर वह भरा हुआ है तो ८०,००० में भी मिल सकता है। उसको खरीद कर जो मुकदमेबाज है वह यह कहता है कि मुझे यह मकान रहने के लिये चाहिये और इस विधेयक के अनुसार मकान में रहने वालों को वह मकान खाली करना पड़ेगा। इस में इतना जरूर कर दिया गया है कि वह ३ वर्ष तक उसे बेच नहीं सकता। किन्तु जब वह खाली करा लेता है तो वह मकान का किराया भी कमा लेता है और ३ वर्ष बाद वह उन किरायेदारों को भी निकाल देगा और फिर उसी मकान को वह अच्छी कीमत में बेच लेगा। मैं चाहता हूं कि उन लोगों को संतोष देने के लिये भी इस विधेयक में कुछ होना चाहिये।

18 hrs.

आपने १ जून से पहले बने हुये जो मकान हैं उनके लिये छूट दी, किन्तु १ जून, १९५५

और १९५८ के बीच के बने मकानों के लिये मैं कहता हूं। मैं मान लेता हूं कि आप ने इस लिये छूट दी कि मकान और बनने चाहिये, उनको प्रोत्साहन मिलना चाहिये। किन्तु १ जून, १९५५ के बाद से १९५८ तक जो मकान बने हैं उनके मालिकों ने यह समझ कर बनाया होगा कि हमारे साथ तो कोई प्रोत्साहन वाली बात नहीं है तो जैसे हम चाहें मकानों को किराये पर दें। मैं चाहता हूं कि इसमें १ जून, १९५५ के बाद से १९५८ तक बने मकानों पर जो छूट दी जा रही है वह न दी जाय।

पगड़ी हमारे दिल्ली शहर में बहुत चल गई है। पगड़ी के संबंध में मेरा एक विनम्र सुझाव है, और वह यह है कि जितने मकान दिल्ली में बनें, उनकी एक सूची रेंट कंट्रोलर के पास होनी चाहिये और जितने मकानों को लेने वाले लोग हैं वे अपने प्रार्थना पत्र रेंट कंट्रोलर को दें। जिस की जैमी हैसियत हो और जिस को जैसे किराये के मकान की आवश्यकता हो उसको वहां से वैसा मकान मिल जाये। इस तरह से मैं समझता हूं कि वह पगड़ी का सिलसिला जो है वह बन्द हो जायेगा। मैं आपको बतलाना चाहता हूं कि पगड़ी की कीमतें इतनी बढ़ गई हैं यहां पर कि जिस का अन्दाजा नहीं लगाया जा सकता। मैं करौलबाग में रहता हूं। करौलबाग में अजमल खां रोड एक जगह है। यहाँ छोटी छोटी दुकानें बनी हुई हैं। उन छोटी छोटी दुकानों में से एक दुकान की लागत अधिक से अधिक १०,००० ६० होगी। लेकिन आज उन दुकानों की पगड़ी ३० से ४० हजार ६० तक है। आप कुछ अन्दाजा लगायें कि इस में कितनी ब्लैक मार्केटिंग होती है। अगर हमें इसका बचाव करना है तो मैंने जो सुझाव दिया है उस तरह का कोई प्राविजन इसमें कर दिया जाय तो लोगों को बहुत राहत मिलेगी।

साथ ही जो नये मकान बनेंगे, उन मकानों का भी किराया निर्धारित होना

चाहिये। यह कहा गया है कि पांच या सात साल तक उनका किराया निर्धारित नहीं होगा। उसके बाद होगा। वह रेंट कंट्रोलर के पास चले जायेंगे। किन्तु मैं समझता हूँ कि अगर अभी से उनका किराया निर्धारित हो जाये तो ज्यादा अच्छा है। इसके लिये चाहे आप १० परसेंट रक़्खें या १२ परसेंट रक़्खें। अगर उनको आप को कुछ और रियायत देना है तो आप थोड़ा और आगे बढ़ जाइये। १२ परसेंट का मतलब होता है १०० रु० पर प्रति मास १ रु०। तो अगर १२ प्रतिशत रक़्खा जाय तो भी वह एक अच्छी खासी रक़्म हो जाती है। आज किमी के पास सोने के ज़ेवर है, वह अगर किसी साहूकार के पास जाय तो मैं समझता हूँ कि १० प्रतिशत या ८ प्रतिशत पर उसे रुपया मिल जायेगा। इसी तरह से अगर किसी के पास पूंजी है और वह मकान बनवाता है और उस पर उसे १२ प्रतिशत मिल जाता है तो यह कोई घाटे की मद नहीं है, एक बहुत अच्छी मद है। पर हमें यह जरूर देखना चाहिये कि १२ प्रतिशत तक की एक सीमा जरूर निर्धारित हो जाये, इससे ज्यादा कोई न ले। आप देखिये कि यहाँ क्या हो रहा है। आज जो मकान बन रहे हैं उन पर २० या २५ प्रतिशत तक लिया जाता है। नजफगढ़ रोड मेरी कांस्ट्रक्शन्स में एक जगह है। वहाँ फैक्ट्रियाँ बनाने के लिये सरकार ने सस्ते दाम में जगह दी। वैसे वाले लोग जो थे उन्होंने बहुत बड़ी बड़ी जगहें खरीदीं, उसके बाद दुआ यह कि वह लोग कोई फैक्टरी बनाने वाले तो थे नहीं, उन्होंने जगह खरीद कर चहार-दीवारी बना ली। अब जो भी काम करने वाले होते हैं या कारखाने लगाना चाहते हैं, छोटे छोटे लोग, उनको कहीं और तो परमिशन मिलती नहीं है। हारकर वह वहाँ जाते हैं और उन लोगों से जाकर बात करते हैं जिन्होंने वह जगह ली हुई है। ऐसी अवस्था में मैं आप को बताऊँ, छोटी छोटी जगहें भी ३०० और ५०० रु० प्रतिमास के हिसाब से उठ जाती हैं। मैं चाहता हूँ कि उन लोगों के लिये भी इस में कुछ सन्तोषजनक हल हो।

मैं आपको एक बात और बतलाना चाहता हूँ। कुछ लोग ऐसे होते हैं जो दुकानें किराये पर लेते हैं, और वह साझेदारी के नियम पर। जब दुकानों की कीमतें बढ़ जाती हैं तो या तो वे किसी से पगड़ी ले लेते हैं या फिर अधिक किराया ठहरा लेते हैं। मैंने देखा कि कैनाट प्लेस में जो बड़ी बड़ी दुकानें हैं वह किसी जमाने में बहुत कम किराये पर ली गई थीं, लेकिन उन में से अधिकांश दुकानें बहुत बड़े बड़े किरायों पर सबलेट कर दी गई हैं। और इस ढंग से सबलेट की गई हैं कि उन में साझेदारी आ गई है। उसमें २ आने की पत्ती, १ आने की पत्ती के नाम से कागज लिखा लिये जाते हैं और वही लिखित कागज सब जगह बढ़ा दिये जाते हैं। मैं चाहता हूँ कि चाहे कोई भी किरायेदार हो, जो नाजायज नफा लेता है, उसको नाजायज नफा न उठाने दिया जाय। मैं माननीय मंत्री जी से कहना चाहता हूँ कि आप इन सब बातों पर विचार करें। अगर आप इन पर विचार करेंगे तो दिल्ली की मनता आप को दुआये देगी और आने वाले समय में वह याद करेगी कि कांग्रेस के एक मंत्री महोदय ने हमारे लिये जो बिल रक़्खा था वह हमारे लिये सुलभ था। यह जरूर है कि मैं किमी के साथ अन्याय नहीं चाहता, चाहे वह मकान मालिक हो चाहे किरायेदार हो।

अन्त में मैं यह भी कह देना चाहता हूँ कि हमें यह तो तय कर ही लेना चाहिये कि एक व्यक्ति के पास कितने मकान होने चाहियें। आप चाहे जितने भी मकान तय कर लीजिये, आप इसका अन्दाजा लगा लीजिये कि एक व्यक्ति अपने जीवन में कितना पैसा कमा सकता है और एक व्यक्ति अपने जीवन को किस तरह से सरलता से चला सकता है। यह तर्क दिया जा सकता है कि एक व्यक्ति है, उसने अपनी गाड़ी कमाई से दो मयान खड़े किये, इस लिये खड़े किये कि उस की बूढ़ावस्था में वे उसे सहारा दें। यह ठीक है कि कई सन्तानें निकम्मी निकल पाती हैं, एक आदमी

[श्री नवल प्रभाकर]

को मजबूर हो जाना पड़ता है और उसके आखिरी जीवन में समय बड़ी कठिनाई से गुजरता है। किन्तु उस के लिये भी कुछ सीमा निर्धारित होनी चाहिये। भले ही पांच या सात मकानों की लिमिट रख ली जाय, लेकिन अगर पांच या सात मकानों के बाद उसके पास एक भी मकान हो जाय तो वह उसका न रहे। या फिर यह फैसला धाय के ऊपर कर लिया जाय। एक व्यक्ति की अगर किराये से ५०० रु० धाय होनी चाहिये तो उसके बाद उसे कुछ अधिक फायदा होता हो तो वह उसके पास न रहे। इस तरह के जो दो विचार हैं, उन को धाय जल्द ध्यान में रखिये। तब हम यह जो समाजवादी समाज की रचना करना चाहते हैं उसकी ओर वस्तुतः प्रगति कर सकेंगे।

Mr. Speaker: Shri Radha Raman, will then call Shri Sarhadi.

Shri Achar (Mangalore): Others not in the Joint Committee may also be given an opportunity to speak.

Shri Radha Raman (Chandni Chowk): Mr. Speaker, Sir, I am very grateful to you for allowing me this opportunity to speak on the most controversial Bill, the Delhi Rent Control Bill. I welcome it for one reason that it is going to the Joint Select Committee. I personally feel that the Bill as it stands has got many drawbacks. We can say much on behalf of the landlords and equally much on behalf of the tenants. There are so many shortcomings even in the drafting of the Bill that it is quite appropriate that the Government thought it fit to be referred to a Joint Select Committee. Since I am one of the Members of this Committee, I shall like to propose some amendments which have struck me at the time the Bill is being considered by the Joint Select Committee.

The question of controlling rents in Delhi or regulating the relations between the tenants and landlords has

been engaging the attention of the people of Delhi for a very long time. You remember, Sir, sometime back for that very reason a temporary tenants protection Bill was brought before this House and certain remedial measures were embodied in this Bill. It still exists on the statute-book. I somehow find that those remedial measures which are included in that Bill have been taken away from the present Bill. That is really a sad affair.

It is true that the number of tenants in Delhi is very large and the acuteness of houses has presented a very big difficulty. But I am afraid the measures that are being considered now are no remedy to the evil in Delhi. I feel that unless the question is thoroughly examined and the Government are ready to put in a lot of money in order to create subsidised houses in Delhi or to encourage house-building activities—not the house-building activities of the big landlords or the colonisers, but house-building activities of individuals—the position will not improve. At present we find that there are so many handicaps which restrict the house-building activity in Delhi. The landlords want economic and profitable investment. The individual wants that he should live in a suitable house and the Government has no sufficient money at the present moment to invest on subsidised houses. These are some of the burning problems and unless we find a solution to them, I am afraid the relations existing now between the landlords and tenants will persist and no remedy will be able to solve the situation, as we all wish.

I, therefore, feel that either these handicaps should be removed or there should be a movement towards nationalisation of land in the country. It is a very radical thing which the Government may not like to do at present, but if you want that in places like Bombay, Calcutta and Delhi, the relations between the landlord and

the tenant should become amiable and cordial, I think the remedy lies in nationalisation of land. In a welfare State, nationalisation of land would be a very good thing. I would welcome it, but till then we have to think out the methods by which we can improve these relations.

I must say that the most contentious or controversial problem is that of eviction. The tenants have always been crying hoarse that they are being put to so many difficulties by the landlords. It is true that the landlords at present are doing all kinds of mischief in order to evict the tenants. In Delhi quite a large number of landlords are those who possess one house or two houses. In that house he lives and in order to carry on his livelihood, he has some economic consideration for which he also keeps a tenant. Everyday I come across thousands of petty landlords and tenants who come to me with their mutual difficulties, because they are not living in a healthy atmosphere. There is some kind of dispute or quarrel between them. But I find the Bill does not consider this problem. If you want that there should be some solution of the problem, we must categorise the landlords. If you do not differentiate between bigger landlords and those who possess one or two houses only, you will not help the tenants and you will be putting the petty owners to hardship.

Therefore, first of all, my suggestion for the consideration of the Government is that in bringing this Bill, they must have distinguished between the big landlord and the petty landlord. You cannot apply the same rule to both these categories of persons. Suppose a petty landlord kept a tenant ten years ago and his family is growing. Do you want him to live there all the time? There are protective provisions in the Bill which does not allow the tenant to be evicted. If you want to check eviction by big landlords or *amledars* by all means make non-payment the only ground for eviction and do not allow eviction on

any other ground. I would be pretty glad about it, because in a socialist society and welfare State, such a person has no claim to exist by exploiting the misery of the poor people. I fully agree with that. But to deal with all tenants and landlords in one way does not appear to me to be proper.

So, my humble suggestion is that the Bill should have different provisions for landlords who possess big properties and landlords who possess only one or two houses. In the latter case, I should say that there should be sufficient protection for the petty property-owner to get the tenant evicted even on grounds other than non-payment. For the other landlords I say that the tenant may be evicted only on these grounds and no other grounds; and the grounds are: he is not paying the standard rent to the landlord regularly, or he has purposely damaged the premises or sub-let the premises for profiteering purposes or he has started some business other than the one previously agreed to or previously being carried on the premises or he does not permit the landlord to carry out the necessary repairs or improvements which are absolutely necessary in order to keep it in a fit condition. These are the only conditions on which, I think, eviction can be resorted to. No other condition should be accepted for the purpose of giving relief to the landlord in the matter of eviction.

There is another controversial matter. And that is the fixation of standard rent. I would appeal to the House that we should not allow the newly-built houses to be let on very high rents. There should be some check over it. Now some houses are built in very good areas and they are given for fabulous rents, rents which one cannot imagine. Since we have got so many Embassies and big business houses, they always jump at good houses, irrespective of the rent. The result of it is that the middle class and lower middle class people are not able to get houses, as the demand is greater than the supply.

[Shri Radha Raman]

Some restrictions should be placed on the new builders. After constructing the houses, there must be some agency which will regulate the standard rent. As far as the old houses are concerned, the Rent Controllers are there. I do not want the new houses to go scot-free. There should be some check on them. I would suggest that there should be some machinery which will see to it that the new house builders do not charge fabulous rents and the middle and lower middle class people are deprived of their elementary necessity of a house, which the society is expected to supply them.

With regard to the fixation of rent, there is some controversy about the percentage. The new Bill suggests 8½ per cent. and the tenant does not want to pay more than 6 per cent. Even 6 per cent. appears to be a good return, considering the fact that the bank rate is only 3 or 4 per cent. But, considering the difficulties of the house-builder, I would suggest that the rent should not be calculated at the rate of 6 per cent. But I would certainly suggest that 7½ per cent. which was previously there, may be retained, because 7½ per cent. is quite encouraging for the private house-builder. Not only should he not make a big profit, but he must also help the society to tide over the difficulty in the matter of housing. That is my view with regard to fixation of standard rent.

13.24 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

With regard to the appointment of Controllers, I welcome the idea. I think this will mitigate a lot of hardship which the tenant and landlord have to undergo by resorting to courts. At least three-fourths of the business of the Delhi courts relates to settlement of disputes between the landlord and the tenant. I think no case has been finalised in Delhi courts within less than two years. That is the average time taken. Sometimes, it takes 3, 5 or even 10 years. That is very ridiculous. It is also very harmful. If we want

speedy and quick justice, there must naturally be some machinery. Of course, I have got my own apprehensions that these Controllers may not be free from influence and there may be some injustice involved in their case also. We are just now trying this method. The Controllers are there in certain other States also, and they have done pretty well, even though not as nicely as one would wish. So, I welcome the idea of the appointment of Rent Controllers and of giving them sufficient power.

My hon. friend from the opposition stated that the powers given to the Controllers are too much. He has suggested the appointment of some committees, primarily consisting of non-officials. I would have welcomed the idea but I suppose the same trouble that he envisages in the case of Controllers will arise in the case of non-official Committees as well. So, I think it is better to leave it in the hands of the executive, because we can always question the actions of the executive, and we can see that things are managed well, then we can in the case of small committees whether they consist of three persons or five persons.

The Temporary Tenants Protection Bill had given two great reliefs to the tenants. One was that the premises included the land. In Delhi there is a lot of land which belongs to the big landlords or property owners. Thousands of families live on them. In the past 50 or 100 years these lands were given to small poor people on lease for 8 annas, one rupee or two rupees per 50 yards or so. Now those lands have become very valuable ones. Their value has increased hundred times or sometimes even more than that. The people living on them are almost in the same condition. In some cases, their conditions have even deteriorated. But the land owners are trying to evict them. In a socialist society where the Government wants to help the poor, I do not know how

this can be allowed. Those poor people must be given alternative accommodation and there must be some arrangements for enabling them to earn their livelihoods before they are evicted. The Government should not allow the landlords to evict them and then rent them out for fabulous amounts and then distribute the money among persons who are better off.

I would submit that the Tenants Protection Bill, which was adopted by this House and is now an Act, provided two remedies. One was that if the tenant was paying less than Rs. 100 he shall not be evicted or put to any hardship. Another provision was that the premises will include the land also. In this Bill those provisions are not there. I would suggest that just as there are proposed categories of property owners, there should also be categories of tenants. I may tell you Sir that it is my personal knowledge that there are pretty bad tenants who are today usurping the land of the Government. They have taken vast pieces of land. They have built their own houses, quite big houses; may be kutchas ones. They have sublet them to 5, 10 or 20 people, and they are taking heavy rents from them. I know personally that in Nabi Karim and certain other areas people are possessing such land. Though the Government owns the land, because of the indecisive policy of the Government, the tenant is occupying that piece of land and sub-letting it, collecting sometimes about Rs. 300 p.m. or more from his sub-tenants. Government is not taking even a pie from them. I do not understand how anybody will suggest that this condition should continue. The Government wants to evict that person. Certainly if he is to be evicted, the whole lot will have to be evicted. But there are handicaps as I mentioned to you in the beginning. Those handicaps are standing in the way and in spite of my having brought this to the notice of the D.D.A., to the notice of the Home Ministry and to the notice of the Chief Commissioner,

Delhi Administration, nothing has been done. Lakhs and lakhs of rupees have been usurped by such tenants. We know there are actual tenants in need, but there are others who are only tenants by circumstances. I would only suggest that some remedy must be thought of this because we cannot allow Government money to be lost away or used unauthorisedly by people. So, I say that these things have to be considered.

Then there is again a provision which I have not been able to reconcile with. In the Bill it is suggested that a landlord can evict or displace a person who is engaged in business and who takes with him a new partner. I do not understand what is wrong there in it. If there is a business house carrying on business in a particular shop or in a house and if that businessman somehow finds that he is in financial difficulties and is not able to carry on the business which he was carrying on and he thinks that it will be in the fitness of things or it will improve his business if he takes another partner who is able to lend him Rs. 5,000 or Rs. 10,000 along with his own guidance and advice, then he takes that partner along with him. Why should that become an issue for the landlord or the property owner to evict or displace the former partner? What is wrong there? Of course, if there is no bona fide intention, then on that ground you can say anything. Simply because he takes that partner with him in order to improve his business, you say that you have acquired the right of displacing him. I do not understand that. This position appears to be quite unimaginable to me.

With regard to the sub-tenancy clause also, I fully sympathise with the landlord, who some time in the past, say five or ten years ago, gave the house to a tenant on the explicit understanding that he will use it for himself. Now, after six months or a year that man gives that tenancy or a portion of that house to five sub-tenants. He gives to the landlord

[Shri Radha Raman.]

only Rs. 50 but charges from others Rs. 100 or even more. He thus enjoys the profit. I do not understand on what grounds of justice or fairness will any society or any Government allow that tenant to enjoy the profit of that sub-tenancy without taking in confidence the landlord or without having his consent.

But there are other cases also where sub-tenancies exist at a particular time and those sub-tenancies are continued. In such a sub-tenancy if some change is made, the landlord may stand up and say that that change has gone against the original idea and for small and petty reasons the sub-tenancies are going to be done away with. I say this is a very controversial matter and we have to very seriously examine this sub-tenancy clause.

The last, but not the least, thing is that there are so many suggestions and so many improvements which are to be made in this Bill. They will all be made in the Select Committee, i.e., how the provisions are to be embodied in the Bill. With regard to the *bona fide* intentions of some of the landlords, who either by selling the houses or by selling the property to another man acquire the benefit of evicting the tenant or by just advancing flimsy grounds want to possess them. I say, in these matters we have to be very careful. In the name of *bona fide* intentions so much mischief has been done by the landlord. I fully agree with that and I would not like to see that any loophole is allowed to the landlord to get possession merely by saying that he has got a *bona fide* need. Of course, the Bill has made some improvement in this respect. The provision is there.

Ch. Ranbir Singh (Rohtak): Why not remove him (landlord) from the arena?

Shri Radha Raman: I say in the case of sub-tenancy and in the case of getting the house for a *bona fide*

purpose, there must be sufficient scrutiny and the provision should be such that there is no loophole for any landlord to take advantage of that loophole and dispossess any tenant from the possession of the house which he rightly or legally has.

I have suggested some of these things which struck my mind. I would certainly like to place my amendments which I wish to suggest in these matters before the Select Committee and I am sure that when the Bill emerges out of the Select Committee, it will have removed all the shortcomings and at least should have given satisfaction to the tenants for whom it is meant, whose number is very large and whose welfare and well-being we are more concerned with.

Shri Ajit Singh Sarhadit (Ludhiana): Mr. Deputy-Speaker, Sir, I also welcome the measure and I welcome it for two reasons. Firstly, it attempts to give protection to tenants to some extent and at the same time it does not very adversely affect the interests of the landlords. And as the hon. Minister has been pleased to say, it is a compromise measure between the two. I am afraid he could not have gone further in the face of commitments which the Government had previously made with the landlords about new constructions. I am particularly happy about the penal clause wherein any infringement of section 5 is punishable with imprisonment. Wherever any landlord charges premium or *pugree*, he is punishable with imprisonment and is also liable to pay a substantial fine. But I am afraid a measure of this kind even with the punishment clause would not meet the needs of the housing situation in Delhi. That is the primary consideration. I am afraid it does not do that and despite the attempts of the Government to penalise the payment of premium on the transfer of tenancy, this evil would still persist. The Government will have to consider a long range measure to solve the housing problem in Delhi. It is getting very much

acute during the last 15-16 years. As you know very well, the population of the Capital has increased four times, or rather more than four times according to what the census figures of 1941 show and it is bound to grow very much further in another 20-30 years to come. The Government will have to take a long range view of things to house such a large population that is increasing either due to increased birth rate or due to influx from outside. The refugees that have come here only comprise four to five lakhs, yet the population has increased vastly.

I recollect the proceedings of the Rehabilitation Consultative Committee's sitting where the Bengalis wanted that they should have townships here. There is a feeling all over India to settle down in Delhi. The richer people can afford sites roundabout the towns or in suburban areas, but not the poor class. Therefore, the first submission which I would like to make to the Ministry here is that they must have a long range view of things. They must not allow the financial companies and all that to purchase properties and sell them. They should have small plots roundabout Delhi. They should acquire the property that is necessary, change them into small plots and sell them to the tenants who belong to Delhi and who live here at a 'no profit no loss' basis either by lottery or by allotment as is done in Chandigarh in order to resolve the housing problem which is there in Delhi. However high the penalty you may fix and however strongly you may try to deal with the culprit where the payment of premium is concerned in the matter of transfer of tenancy, you cannot meet the situation at all.

Now, I come to the provisions of the Bill. I would not go into the details at this stage. It is not necessary either to go into the details. I will just take the general principles on which it is based. First, the object of the Bill is to have standardisation of rent. For this purpose two categories have been created, firstly, category of tenants, in accordance

with the rents that they pay and secondly category of buildings, in accordance with the period in which the houses have been constructed. We have to see whether these categories have got a rational basis and if they have got a rational basis, whether they can be made more rational.

Dealing first with the categories of rents that the tenants are paying, I find four categories have been created for standardisation of rent, first category, up to the rent of Rs. 300; second category is from Rs. 300 to 600; third category from Rs. 600 to Rs. 1200 and the fourth category above Rs. 1200. A certain percentage of increase has been given in accordance with the rent that a tenant pays in order to have standardisation of rent. Ordinarily, economically, we have the poorer people in society, the lower middle class, the upper middle class and the rich class. In the matter of rent also, the categories should be based on that basis on which society is split. Here, in Delhi, with all the inflated rent that is prevailing, I should think that the poorer classes would only come in the category below Rs. 100. That individual who pays a rent of less than Rs. 100 can certainly be placed under the category of poor people. Are we in accordance with this Bill giving them the necessary protection that they need? I submit we do not.

In the matter of tenants paying a rent of below Rs. 300, in order to standardise rent, you fixed the basic rent at 12½ per cent., in the case of constructions before 1951, above the rents that prevailed before 1944 and in order to standardise, and you have given 10 per cent. over and above that basic rent. That is the formula which you have followed. This goes up to Rs. 300. That is, for any person paying a rent of below Rs. 300, his rent can only be standardised by giving 22½ per cent. above the rent that he was paying before 1944 or on the target date of 1939 on constructions before 1951. I would submit that in the matter of poor people, this would cause hardship. I think we would be

[Shri Ajit Singh Sarhadi]

making a mistake on the higher rate side rather giving him protection. My first suggestion to the Joint Committee and the Minister responsible for this Bill is this. So far as the poor categories are concerned, the first category should be up to Rs. 100 and certainly a lower rate of increase should be fixed so that they may be saved. I submit that this increase over the previous fixation under the previous Acts is not justifiable.

The second category, the lower middle class, would certainly cover people paying a rent of Rs. 100 to 500, where you fix 15 per cent. or something of the kind. You may give that increase over the basic rent. All the same, so far as the poorer classes are concerned, who pay a rent below Rs. 100, I would certainly stress and humbly submit that they do deserve consideration in the matter of fixation of standard rent. There is third class or upper middle class. In the third category of upper middle classes, I would also plead for consideration in the matter of standardisation. In the matter of rich people, who pay above Rs. 1000, are they entitled to any protection under the Bill? I would submit, they are not. They are not entitled to any. Let them have the freedom to contract. What will be the benefit? This will give a sort of incentive to the constructors of a big kind for the accommodation of big people. We have got a very large number of embassies. Not only embassies, but people who are connected with embassies and ancillary to the embassies. They certainly can afford to pay very high rents. My respectful submission to the Minister and the Joint Committee is this. Where no protection is necessary at all, where an individual can well afford to pay, where you also need an incentive for more construction, we should have freedom of contract, where there is neither duress nor any coercion. I would submit that standardisation of rent should only be confined to the extent of the three categories, the poor class,

the lower middle class and the upper middle class and not to the people who pay above Rs. 1200 or 1000 because that relates to either people who can afford to pay or the embassies and other institutions that want buildings for their purposes. My submission relates to the first category. That is as regards categories in the matter of limit of rent.

The second category that has been made the basis is the period of construction. Here, the periods fixed are, constructions made before 1951, constructions made between 1951 and 1955 and thirdly constructions made beyond 1955. In the case of the first category, again that formula applies which I have already submitted before you. I have already pleaded that in the case of the poor tenants, the increase that is being sought by this Bill is very much higher and it is a mistake on the high side. In the case of constructions between 1951 and 1955, a certain standard rent is being fixed. You will find from the provisions of the Bill, on the basis of a rent which was prevailing on a certain date a standard is being fixed for the next seven years to come. Here, again, I would certain plead for the poorer tenants. The construction may have been made between 1951 and 1955. But, the hon. Minister may well know and he knows it that the years 1951 to 1955 were crucial years. Poor people coming from outside had to take up houses at a very high rent. The rents were exorbitant, not commensurate with the investment that the individual had made. It was simply fleecing the tenant on account of his necessity. In such cases, I would submit, up to a certain category, where a poor man is involved, where he is paying a high rent which is not commensurate with the investment of the individual, here should be standardisation and it may be standardisation at the level which you have put, 8½ per cent of the investment including the value of the site. Certainly, relief is absolutely essential for the poorer class of

tenants who have been given tenancies at a high rate for the new structures. I do not think there is any commitment on behalf of the Government to the extent that everybody will be exempt. Even if there is one, I do not think it is a fair one. The poorer tenants do require relief. If a poor tenant has to pay a rent of Rs. 150 for a one room tenement in which Rs. 4000 may have been invested, in the suburb, it is exorbitant. By bringing this Bill, you are giving fixity of rent for the next seven years to come from the date of construction, that is 1961 or a longer period. That is a very hard thing. Coming to the third category, houses built after 1955, you give fixity of rent, whatever the kind of tenancy may be, for the next five years. Again, this is a very hard thing. Here too, I would plead the case of the poor people.

As I have said, I have gone to the extent of saying that in the case of the rich classes, there is no need to give them any protection. This bill should not give; it need not give. Let them have freedom to contract to pay Rs. 1000 and more. So far as the lower levels of rent are concerned, I do not see any reason why fixity of rent in accordance with the formula which you have applied should be given, in the case of people who pay below Rs. 100. Again, I would say that they do need consideration. I would ask the Joint Committee and the Minister responsible for this Bill to consider this and see that these people get relief and there is no fixity of rent. This is so far as the fixation of the standard rents is concerned.

So far as the second feature of the Bill is concerned, viz., security of tenure, of course, we have got the provisions and I need not dilate on that, but there is one thing which I would submit, and that has already been dealt with to some extent by

the previous speaker, Shri Radha Raman, that is the clause which brings in the penalty of eviction for sub-letting. That is a clause which is very much liable to abuse. There is a possibility that a man increases his business, tries to go up and bona fide he takes up a partner or something like that. There should be a certain discretion allowed that in certain circumstances, sub-letting itself, for bona fide reasons, should not bring in the penalty of eviction and give a handle to the landlord immediately to give a notice and do all sorts of things. There are hundreds of cases. An individual can have a brother, a relation of his own, he wants to make it a sort of family concern. There can be hundreds of instances where such contingencies or exigencies can arise where the individual may seek the help of another, a relation of his, to finance him, to support him or to join him. In such cases I feel that the clause relating to sub-letting also needs consideration, and I hope the Joint Committee will give it proper consideration.

पंडित ठाकुर दास भार्गव (हिसार) :
जनाब डिप्टी स्पीकर साहब, दिल्ली रेंट कंट्रोल बिल जो हमारे सामने आया है, उस पर हमारे मिनिस्टर साहब ने कल बड़ी लम्बी चौड़ी तकरीर की। उन्होंने उन उसूलों को जो कि स्टेटमेंट आफ आब्जेक्ट्स एंड रीजंस में दिये गये हैं विस्तार से हमको बतलाने की कोशिश की है। बिवाशक व शुबहा व सारे उसूल इतने माकूल हैं कि कोई भी शकस उन पर किसी भी तरह का एतराफ नहीं कर सकता है। सबाल पैदा होता है कि आया उन उसूलों को इस बिल के सैकशंस में ढाला गया है या नहीं और अगर ढाला गया है तो कहाँ तक और किस हद तक उनको कायम रखा गया है।

पेस्तर इसके कि मैं इस बिल की प्रावि-
जंस पर बोलूँ, मैं एक छोटी सी बात कह देना

[पंडित ठाकुर दास भागंब]

चाहता हूँ। आज से कई बरस पहले रेंट कंट्रोल के जो प्राविजंस हैं, वे दिल्ली पर लागू किये गये थे। कोई वक्त था कि जब लोग मकान बनाते थे तो कभी गवर्नमेंट सोचती भी नहीं थी कि वह प्राइवेट हाउसिंग के अन्दर कभी दखल देगी और आया उसको ऐसा दखल देने का अख्तियार भी है या नहीं, इसके बारे में कुछ यकीनी तीर से नहीं कहा जा सकता था। लेकिन जब से वेलफेयर स्टेट बनाने की बात हुई है, तब से उसी स्टेट की स्थापना के लिये यह कानून नहीं बना। यह कानून यों बना कि दिल्ली की आबादी या बड़े बड़े शहरों की आबादी पहले के मुकाबले में बहुत ज्यादा बढ़ गई और एकांमोडेशन की शार्टेज हो गई। बिला शक व शुबहा जो मकान मालिक हैं उनके राइट पर अगर हम अपनी कांस्ट्रिक्शन को देखें तो पता चलेगा कि यह रेंट कंट्रोल एक्ट एक रेस्ट्रिक्शन लगाता है। लेकिन यह कहने में मुझे जरा भी ताम्मूल नहीं है कि यह निहायत ही वाजिब रेस्ट्रिक्शन है। अगर यह रेस्ट्रिक्शन न होती तो किसी भी बड़े शहर में किसी आदमी को भी रहने के लिये जगह न मिलती। और शहरों को आप जानें दें। आप दिल्ली को ही देखें। दिल्ली का जो मामला है यह बहुत ही ज्यादा पेचीदा मामला है और शहरों के मुकाबले में। एक वक्त था कि जब यहाँ पर बहुत सारे रिफ्यूजी आ गये थे और यहाँ की आबादी रोजमर्रा बढ़ती चली जा रही थी, तो गवर्नमेंट ने श्री जी० डी० बिड़ला की अध्यक्षता में एक कमेटी बनाई थी। इम्प्रूवमेंट ट्रस्ट जिसकी इस हाउस में बहुत चर्चा होती रहती है, उसके काम को भी देखने के वास्ते और यह भी देखने के लिये कि उसने कहाँ तक अपना काम किया है, यह कमेटी बनी थी। उस कमेटी ने जो तजवीजें पेश की थीं और जो उसूल तय किये वे वे आज एक मीटर आफ हिस्ट्री बन गये हैं। उनकी तरफ अब कोई तवज्जह देने के लिये तैयार नहीं है। उस कमेटी ने जो कुछ लिखा है

ऐसा लिखा है कि उसको हर वक्त काम में लाया जा सकता है।

पेशावर इसके कि मैं उसमें से कुछ पढ़ कर सुनाऊँ जो सबसे पहली बात तबज्जह के काबिल है यह यह है कि दिल्ली की आबादी पहले के मुकाबले में तकरीबन चार गुना हो गई है। इस अर्थ में गो कि गवर्नमेंट ने रिफ्यूजीज की मदद करने में, नये मकान बनाने में, कोई कसर उठा नहीं रखी, बहुत रुपया, इतना रुपया, हमारी उम्मीदों से भी ज्यादा, उस ने खर्च किया। हमको खयाल भी नहीं था कि गवर्नमेंट इतना रुपया खर्च करेगी। उसने इतना रुपया खर्च कर दिया कि, दिल्ली में किसी तरफ चले जाइये, सारी नई दिल्ली मानम होती है। उसने दिल्ली में इतने ज्यादा मकानात बनाये हैं कि जमे कोई तिलस्म हो गया। लेकिन ताहम हालत बहुत खराब है। दिल्ली के अन्दर किराये इतने ज्यादा हैं कि एक मामली आदमी उनको दे नहीं सकता। एक एक कमरे का १००, १०० रु० भी लेते हैं, और अगर एम्बेसीज की तरफ चले जाइये तो वहाँ का रेंट देख कर समझ में नहीं आता कि हम किमी फेरीलैंड में आ गये या क्या हुआ। हम समझ नहीं पाते कि इतना रेंट हाँ सकता है।

उपाध्यक्ष महोदय : क्या फेरीलैंड में भी किराये होते हैं।

पंडित ठाकुर दास भागंब : शाब्द मुफ्त रहते हैं। लेकिन यहाँ का सवाल हल नहीं हुआ। बिरला कमेटी ने लिखा था अपनी रिपोर्ट में कि गवर्नमेंट को ८५ करोड़ रुपया दिल्ली में शार्टेज आफ अकॉमोडेशन को दूर करने के लिये चाहिये। उसमें से कितना रुपया खर्च हुआ ? क्या गवर्नमेंट के पास इतना रुपया है ? मुल्क के अन्दर जहाँ भी शहर हैं, वहाँ शार्टेज आफ अकॉमोडेशन है। गवर्नमेंट वे अपने लिये तो बड़ा अच्छा

किया। अभी कल ही दूसरा बिल पास हुआ है जिसमें गवर्नमेंट के वास्ते खूब सहायित है। अपनी जायदाद हो या न हो, डाउटफुल भी हो तो वह निकालेगी। लेकिन जहाँ तक लोगों का सवाल है, इस बिल का आप मुलाहजा फरमायें, गवर्नमेंट ने कहां तक हमदाद की है और किस तरह से वह इस मामले को तय करती है। आज पुझे डर है कि जब तक गवर्नमेंट खुद बहुत से मकानात यहां नहीं बनायेगी, या मकान बनाने की सहायित नहीं देगी, यहां की प्रोजेक्ट सेटल नहीं होगी। दिल्ली में एक एरिया स्लम नहीं है। दिल्ली में बहुत बड़े बड़े स्लम्स हैं। असल बात यह है कि हिन्दुस्तान में बहुत से स्लम्स हैं, लेकिन जग पुरानी दिल्ली में आप जाकर देखिये कि वहां क्या हाल है। कई ऐसे मकान हैं जहां पर मूज की रॉशनी का दखल नहीं है। ऐसी सूरत में गवर्नमेंट ने क्या सोचा हुआ है। क्या गवर्नमेंट समझती है कि दिल्ली रेंट कंट्रोल ऐक्ट से वह इस मामले को तय कर देगी? मैं यह पूछना चाहता हूं। मेरी नाकिस राय में यह जो हालत है वह दिल्ली रेंट कंट्रोल ऐक्ट से कंट्रोल नहीं होगी। एक जमाना था जब दिल्ली रेंट कंट्रोल बिल इस हाउस में आता था तो उसमें एक फ्रिकग हुआ करता था "बिस बिल रिमेन इन फोर्स फार सच ऐंड सच डाइम" सन् १९४७ में ऐक्ट आया, उस सन् ८७ वाले बिल में लिखा था कि "बिस शैल रिमेन इन फोर्स फार सच ऐंड सच डाइम"। यही नहीं, आप दिल्ली के ऐक्ट को देखिये, यू० पी० के ऐक्ट को देखिये। उन सब के अन्दर यह फ्रिकग होता था कि 'बिस शैल रिमेन इन फोर्स फार सो मैन् इच्छर्स' क्योंकि गवर्नमेंट का खयाल था कि चार, पांच साल के अन्दर वह मामला तय हो जायेगा और इससे ज्यादा वक्त के लिये कंट्रोल करने की जरूरत नहीं पड़ेगी। लेकिन इस ऐक्ट में और पिछले ऐक्ट में से यह फ्रिकग जाता रहा। जब पिछली मर्तबा यह बिल हाउस में आया तो मैंने तजवाज किया

था कि आप इसे पांच साल के वास्ते बना लें और पांच साल के बाद सारी चीज को तब्दील कर दिया जाये। लेकिन वह आज भी दर्ज नहीं किया गया। मुझे तो ऐसा मालूम होता है कि गवर्नमेंट की राय में यह आ गया, गवर्नमेंट को यह दिखाई देने लगा कि हमसे यह मामला तय नहीं होगा और इसलिये यह परमनेन्ट मेजर बना लिया जाय। अगर यहां पर परमनेन्ट मेजर बन गया तो फिर सभी जगह पर परमनेन्ट मेजर बनने लगेंगा। ऐसा मुझे डर है।

दूसरी चीज जो धर्ज करनी है यह यह है कि इन्सान के अन्दर एक खसलत होती है जिसको "इनहेबिटिबनेस" कहते हैं यानी यह कि हर एक आदमी अपने मकान के अन्दर रहे। अपने मकान के अन्दर कई बाकयात ऐसे होते हैं फैमिली में कि जिनसे उनका ऐंकेकशन बाबस्ता हो जाता है, और यह एक क्वालिटी बन जाती है कि वह हर मकान के अन्दर उतना खुश नहीं रह सकता। वह अपने मकान में ही खुश रहता है। और यह क्वालिटी तब डेवलप होती है जब आदमी अपने मकान में हो, किराये के मकान में नहीं। क्योंकि वह हो ही नहीं सकती जब तक कि फिक्सिटी न हो कि कल उसको उसके मकान से निकाला नहीं जायेगा। इस का हमारी गवर्नमेंट को कतई एहसास नहीं है। मैं बहुत दफा कहता रहा हूं कि जहां तक रिपय-जोड़ का सवाल है, उनके कदजे में जो मकान हैं उनको रेगुलराइज कर दिया जाय और उनको यह महसूस होना चाहिये कि वे अपने मकान में रहते हैं। उन के अन्दर एक 'इनहेबिटिबनेस' की माइकानोजी पैदा हो, और इससे बड़ा फायदा होता है, लेकिन आज तक दिल्ली के अन्दर उनका रेगुलराइज नहीं किया गया क्योंकि गवर्नमेंट इसके अन्दर यकीन नहीं रखती कि हम अपने मकान में रहे। उसमें मकान बनाने का खयाल ही पैदा न हो। मकान खरीदने के जज्बात ही उसके अन्दर पैदा नहीं। जिनको उन्होंने

[पंडित ठाकुर दास भागवत]

मिलकियत दे दी उन्हें दे दी, लेकिन उनके भलाया और किसी को मकान मालिक नहीं बनाया जा रहा। मैं अर्ज करना चाहता हूँ कि गवर्नमेंट की जो एक स्कीम है, कई लाख रुपये की तो हाउसिंग की, वह उसकी बड़ी मेहरबानी है। उसका कहना है कि वह मकान बनाना चाहती है। ग्रह उसके अब तक उसूलों से डिपार्चर होगा और यह बड़ा मुबारक डिपार्चर होगा। गवर्नमेंट लोगों को लोन देती है ताकि वह अपना मकान बतायें। यह एक "स्टेप इन दि राइट डाइ-रेक्शन" है। लेकिन दिल्ली के अन्दर मेरी समझ में नहीं आता कि क्यों गवर्नमेंट लोगों को अपने मकान बनाने के वास्ते रागिब नहीं करती। अगर खास तौर से गवर्नमेंट दिल्ली की तरफ तबज्जह दे और लोगों को मकान बनाने के वास्ते इमदाद दे तो इससे बड़ा फायदा हो सकता है। लेकिन ताहम दिल्ली की आबादी ऐसी है कि इसमें बहुत से बाहर के लोग भी आ गये हैं और आते रहते हैं। यहां कैपिटल की आबादी है, इसके अन्दर गवर्नमेंट कितनी ही कोशिश करे और मकान बनाने के वास्ते लोगों को मदद दे लेकिन फिर भी बहुत से लोग यहां किराये पर रहेंगे और मकानों की जरूरत होगी।

यहां बहुत चर्चा किया गया, कल भी मेरे दोस्तों ने बहुत चर्चा किया और आगे भी चर्चा होगा मालिकों और टेनेन्ट्स के रिलेशन्स का। इस का भी चर्चा होगा कि यह प्रो लैंडलार्ड बिल है या प्रो टेनेन्ट बिल है, वगैरह वगैरह। कई लोग यहां पर अपने प्वाइंट ऑफ व्यू पेश करेंगे। अभी मैंने श्री राधा रमण जी की स्पीच सुनी। शायद अपनी बहन सुभद्रा जोशी की भी स्पीच सुनूंगा। इस चीज का काफी जिक्र होगा कि यह प्रो लैंडलार्ड बिल है या यह कि वह प्रो टेनेन्ट बिल है।

उपाध्यक्ष महोदय : आपने मिसेज जोशी को वक्त दे दिया कि वह बोले ?

पंडित ठाकुर दास भागवत : वक्त तो आप देंगे, लेकिन मैंने यह अन्दाजा लगाया कि वह इस पर जरूर बोलींगी।

श्रीमती सुभद्रा जोशी : दुबारा बोल लूंगी।

14 hrs.

पंडित ठाकुर दास भागवत : मैं उस वक्त था नहीं। मेरी गुजारिश यह है कि मैं जब इस बिल को देखता हूँ तो इसमें वह फेअर एडजस्टमेंट नहीं देखता जिसकी मैं उम्मीद करता था। मैं चाहता था कि कोई बिल इस हिसाब से न बने कि यह प्रो लैंडलार्ड है या प्रो टेनेन्ट है। बिल इस हिसाब से बनना चाहिये कि लैंडलार्ड और टेनेन्ट के रिलेशन्स अच्छे हों, इसके पीछे जो उसूल है उस उसूल को कायम रखा जाये। गवर्नमेंट इस बिल के लिये कहती है कि वह दो बातें करना चाहती है, जो कि कुछ गलत सी मालूम होती हैं। वह कहते हैं :

"to provide for the determination of the standard rent payable by tenants of the various categories of premises which should be fair to the tenants, and at the same time, provide incentive for keeping the existing houses in good repairs",

इन दोनों को हमारी गवर्नमेंट ने रिकंसाइल करना चाहा है, लेकिन कहां तक? उनका रिकंसिलिएशन हुआ, यह सवाल आपके सामने है। मैं इस बात की तसलीम करना चाहता हूँ कि अगर कोई चीज रीजनेबल है तो वह दोनों के लिये रीजनेबल होनी चाहिये और दोनों को फायदा पहुंचाना चाहिये। आज हम देखते हैं कि सारी दिल्ली में पसइस घाये। सैकड़ों मकान मरम्मत के काबिल हैं, कई जिन्दगियां खत्म हो गई हैं क्योंकि मकान

इतना कमजोर था बिना रिपेअर्स के कि जरा से पलड़ से वह गिर गया। वह नामुमकिन है कि वह मकान बिना रिपेअर्स के खड़े रह सकें। उन मकानों को बहुत मजबूत होना चाहिये, जैसा कि आप चाहते हैं। आप चाहते हैं कि आप देखें कि लोग किराये पर किसी को ऐसा मकान न दें जो टैनेन्टबल न हो, पूरे रिपेअर्स में न हो, जिस वक्त तक कि वह रहने के काबिल न हो। यह जरूर है कि इससे टैनेन्ट को पूरा आराम मिलेगा, लेकिन लैंडलाड्स हंगिज उस पर खर्च करने को तैयार नहीं होगा अगर आप उसको इन्सेन्टिव नहीं देते। आपने उसको क्या इन्सेन्टिव दिया है। अभी मेरे लायक दोस्त ने साढ़े सात परसेंट का जिक्र किया कि वह उसको ठीक समझते हैं। गवर्नमेंट ने जो सवा आठ परसेंट रक्खा है, वह पहले से किमी कदर इम्प्रूवमेंट है, वह पहले से किसी कदर इम्प्रूवमेंट है, लेकिन यह काफी नहीं है। मैं चाहता हूँ कि टैनेन्ट और लैंडलाड्स दोनों का फायदा हो बशर्ते कि आप ठीक फिगर रखें। अगर आप ठीक फिगर नहीं रखना चाहते तो चाहे आप ताली बजवा लें चाहे माला पहन लें, लेकिन दोनों को फायदा नहीं होगा। दोनों को फायदा तभी होगा जब कि बाजिब इन्सेन्टिव लैंडलाड्स को टैनेन्ट रखने पर भी रहे। आपने कानून बना कर ¹/₁₂ हिस्सा उसे रेंट में से खर्च करने का प्रस्तुत किया है, और ऐसी सूरत में जब कि ज्यादा डीमेज पहुँच जाये तो आपने यह रखा है कि दो साल का किराया खर्च किया जा सकता है, अगर कंट्रोलर साहब उसे मुनासिब समझें। मुझे इस पर ऐतराज नहीं है। मैं तो यह प्रार्थना करता हूँ कि जो आपने बेसिस रखी हुई है, मुझे वह बेसिस माफूल नहीं मालूम होती, न तो स्टैंडर्ड रेंट की और न आइन्दा बनाने के वास्ते जो आपने इंसेंटिव दिया है। मैं प्रार्थना करूँगा कि इंसेंटिव देवने के वास्ते सबसे बढ़िया तरीका यह है कि वे खुद अपने खर्च बैठ कर देखें कि हमारी खुद की क्या हालत है। मैं पूछना

चाहता हूँ कि खुद अपनी गवर्नमेंट क्या रेंट चार्ज करती है? मैं प्रार्थना से पूछना चाहता हूँ कि गवर्नमेंट कितना खर्च करती है? गवर्नमेंट को इंसेंटिव की जरूरत नहीं है। गवर्नमेंट क्या चार्ज करना चाहती है?

जनाबवाला सन् १९५२ में जब वह पिछला बिल इस हाउस में आया था तो मैंने उस मीटिंग पर चन्द एक प्रमेजमेंट्स गवर्नमेंट के मुलाहिजे के वास्ते पेश किये थे और उस वक्त मैंने प्रार्थना किया था कितना यह बिल इंसेंटिव देता है और क्या होना चाहिये। गवर्नमेंट अपने मकानात के वास्ते ६ परसेंट इंटेरेस्ट लेती है जो कि मेरी समझ में बहुत ज्यादा है। जितनी कौस्ट हो उसके ऊपर ३ परसेंट डिपॉजिट चार्ज लेती है। मैं जनाब को गवर्नमेंट के वह रेलेवेट रूल्ज पढ़ कर मुताज्जग। गवर्नमेंट का प्रब जो रेंट आफ प्रॉफिट है वह तकरीबन ६.७३ है। हम लोग जिन मकानों में रहते हैं, गवर्नमेंट हमसे उनका या किराया चार्ज करती है मेम्बरान पार्नीमेंट को तो आपने २५ परसेंट की रियायत दे रखी है? जो गवर्नमेंट की प्रापर्टी है वह जो गवर्नमेंट चार्ज करती है, उसका प्राइवेट रेंट चार्ज करने वालों से कोई मुकाबला नहीं। प्राइवेट जो मकान बनाने वाले हैं उनको गवर्नमेंट के मुकाबले में ज्यादा खर्च करना पड़ता है। गवर्नमेंट के अपने रूल्ज कहते हैं कि ६ परसेंट बहुत रीजनेबल है जो कि उसके ऊपर इंटेरेस्ट हो। मैं जनाबवाला, इस ६ परसेंट को बहुत ज्यादा समझता हूँ। मैं समझता हूँ कि यह ६ परसेंट जो किसी आदमी ने खर्च किया, कौस्ट आफ बिल्टिंग और कौस्ट आफ लैंड पर लगाना यह जायज नहीं है, इतना किराया कोई नहीं दे सकता। मैंने पिछली दफा एक प्रमेजमेंट पेश किया था जब यह सन् ५२ का पिछला एक्ट बना था और मैंने उसमें यह लिखा था कि गवर्नमेंट ६ परसेंट को अनरीजनेबल करार न दे। उस वक्त भी मैंने अपनी स्पीच में कहा था और आज मैं फिर उसको दुहराता

[पंडित ठाकुर दास भागंब]

हूँ हालाँकि मैं जानता हूँ कि यह लैंडलांड्स को सख्त नापसन्द होगा लेकिन मुझे उसकी कोई पवाह नहीं और मैं तो कहूँगा कि मेरी तो राय यह है कि गवर्नमेंट सारा हिसाब लगा कर अगर ५ परसेंट का इंटरेस्ट दे तो यह कोई कम इंटरेस्ट नहीं है। ५ परसेंट से ज्यादा जो शास्स मकान के ऊपर चार्ज करना चाहता है वह हिन्दुस्तान की कंडिशन को नहीं जानता और वह रुपये की ज्यादा पवाह करता है और मैं तो कहूँगा कि जो ५ परसेंट से ज्यादा इंटरेस्ट लेता है वह एक तरीके से कैप्टेनिस्टिक मेंटैलिटी रखता है।

मैं इसमें आगे जाता हूँ। मेरी राय में अगर सारा हिसाब लगा कर माट्टे चार परसेंट नेट गवर्नमेंट अगर लैंडलांड्स को दे दे, तो मैं उसको भी काफी समझता हूँ। यही मैंने उस वक्त कहा था और आज फिर उसको दुहराता हूँ। बम्बई गवर्नमेंट ने जब किराये वय़रह मुकर्रर किये तो उन्होंने ५ परसेंट अपने हिसाब में रक्खा था। अब हमारी गवर्नमेंट ६ परसेंट रखने लगी तो वह ठीक नहीं है।

पेन्टर इसके कि मैं आगे चूँ, मैं जनाब की तवज्जह उन एयारिटीज की ओर दिलाना चाहता हूँ जिसमें यह बतलाया गया है कि गवर्नमेंट कितना चार्ज करती है। मैं उनको रेफर किये देना हूँ। आनरेबल मिनिस्टर साहब अगर उनको पढ़ना चाहें तो पढ़ सकते हैं। मेरे पास इस समय इतना वक्त नहीं है कि मैं उनकी यहां पर पढ़ कर सुनाऊँ।

जब सन् १९५२ का एक्ट इस हाउस के सामने आया था उस वक्त जो मैंने अमेंडमेंट्स पेश किये थे उनके अन्दर मैंने गवर्नमेंट के रूल्स जो इस बारे में हैं उनका हवाला

दिया था और वह ४५ए और ४५बी थे। उनमें साफ़ तौर पर यह दर्ज है :

When a Government building is let to a private person for residential or business purposes, rent should be recovered monthly in advance at the rate prevailing in the locality for similar accommodation used for similar purposes.

गवर्नमेंट की पालिसी यह हुई कि जिसनी प्राफ़िटिंग चाह कर ले लेकिन वह किराया फंडामेंटल रूल ४५बी के मुताबिक केलकुलेटेड किराये से कम नहीं होगा।

"But without the sanction of the minor local Government, such rent shall not be less than the rent calculated in accordance with the provisions of Fundamental Rule 45-B. In making the calculation, proviso (iv) under clause II and Note I under clause III of that rule shall be ignored and full department charges for establishment (including pension), tools and plant, and audit and accounts charges shall be taken into account both for the purpose of arriving at the capital cost and the additional charge to be included for ordinary and special maintenance and repairs."

"A question having arisen whether under provisos (i) and (iii) to F. R. 45A-II, a local Government is competent to determine the present value of a residence, the capital cost of which is already known, the Government of India have issued the following interpretation:

The substantive part of the Rules provides that 'for the purpose of the assessment of rent' the capital cost of a residence shall be either:

(a) the cost of acquiring or constructing the residence and any capital expenditure incurred after acquisition or construction; or when this is not known,

(b) the present value of the residence."

"The rates of interest given in the following Table should be applied in calculating the standard rent of residence, under clause III(b) of Fundamental Rules 45A and 45B."

"In the case of residences owned by Government, the standard rent shall be calculated on the capital cost of the residence and shall be a percentage of such capital cost equal to such rate of interest as may from time to time be fixed by the Secretary of State in Council, plus an addition for municipal and other taxes in the nature of house or property tax payable by Government in respect of the residence and for both ordinary and special maintenance and repairs, such addition being determined under rules which a local Government may make."

Further on, it will be found that Government has fixed the rate of interest at 6 per cent and 3 per cent for other charges.....

Mr. Deputy-Speaker: It will not be controverted even if the hon. Member does not quote those references.

Pandit Thakur Das Bhargava: It is only 6 per cent and 3 per cent departmental charges and others. As I have said, taking into account all the Audit and Account charges etc. it is fixed at 9-73.

In regard to rent, I would say that if you calculate what the private owner has to pay in respect of charges, it would come to very much because the charges for labour and the cost of materials have risen—it is not 3 or 4 times—much more than 4 times. I need not waste my time on that; everybody knows that.

Then, there is the question of leasehold charges in Delhi. They charge 3 per cent by way of leasehold charges. In Punjab they charge a property tax and house tax. Here they charge

only house tax which is 10 per cent and, after some time, it is likely to be 25 per cent. Then, there is the cost of repairs. The older houses will cost more for repairs. We all know what repair costs.

Then, there is the cost of additions and sanitary fittings etc. Then a person has to pay income-tax, estate duty, wealth tax etc. There is also the cost of collection of rent. If a person wants to evict the tenant and goes to court, you know what the costs are; they are never recoverable. There are the municipal notices and others. Therefore, my submission is that apart from insurance charges, the depreciation costs etc. if a man charges 10 per cent rent by way of incentive it is not high. This will leave to him only 4 to 4½ per cent and not more. If he gets that I will be more than satisfied and the incentive is there.

Therefore, Government's fixing it at Rs. 8-4-0 is not giving the right incentive. From 7½ per cent, they have raised it by 12 annas. But, at the same time, I should say it is not sufficient considering the circumstances in the country. Unless and until this is done, whatever law you may pass, the landlords will not keep the house in repair. The essential condition is this. Unless they get enough they cannot spend enough; you need not give them more; give them so much that they can keep the house in good repair.

Apart from that, I find certain provisions in this Bill which, to my mind, are not fair to the landlord. In the first instance, so far as the rights of ownership are concerned, I feel that every person who needs the house for himself should be given that house. If you want to keep the right of private property as it is in the Constitution, the first thing is that if the man wants it for himself he should get the house but not if he wants it not *bona fide* but for taking more rent. I am not in favour of giving the right of eviction to such a person. But if he wants

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the house for himself why don't you allow him to take it?

In 1952 we made a provision; and in 1947 also we made a provision. I was a member of the Select Committee on both these occasions and we allowed it; that is, if the man wanted to get the house for himself *bona fide*. If he did not want it *bona fide* we also imposed some penalties against him. Why have you changed that now? Now, you do not allow if a person's son want; to live there. The house does not belong to the father only. In the case of a joint Hindu family you know that the house belongs to the whole body of coparceners. Why should you say only the landlord should be there. The house belongs as much to the son also. He might have been reading in a medical college somewhere and he might now want the house to set up his practice here. So, the landlord should be enabled to get it for his son also.

In Bombay you have got a law which says that for the business purposes also the house can be recovered. Here, in Delhi, you have not allowed that. A person who wants to run his own business should be entitled to recover it. The first essential of private property is that if the person wants it for his personal use he should have it. That you are denying here, which is not proper.

In respect of certain other matters also, you have been too lenient towards the tenant. I want every tenant to be secure; he should not be at the mercy of the landlord. That is perfectly right. But, there are certain matters where I would prefer the tenant not to be so secure as you have made him to be. For instance, in the case of nuisance. You have this Immoral Traffic Act here. Suppose a tenant allows a woman of bad repute to come and stay in the house, in a part of which the landlord also resides.

An Hon. Member: There is no immoral traffic here in Delhi now.

Pandit Thakur Das Bhargava: I am sorry I have not heard the hon. member's interruption. But I would like to say that, so far as hotels lodgings etc. are concerned, you have made a provision that if a person commits nuisance he could be evicted. We had a provision before. And, I should think that if a person is guilty of nuisance to his neighbours or to the owner himself when he has got a part of the house with himself, he should be evicted. We should give that right to the landlord. You take away the freedom to which the man is entitled. Has the tenant got a right to use house in such a way that he can be a source of nuisance to others? This is not fair. You have changed this without any reason. Then, again a person can recover possession if he wants to make repairs to a house or if the house is in such a condition that without repairs it cannot be safely occupied. If he wants to build a new house, permission is given to a person to recover possession provided the Controller is satisfied that it is required for *bona fide* purposes of rebuilding. If he can produce the money and the other things required for building a house, he is allowed to recover possession. Then, a very strict condition has been put in which is not fair. A person wants to build a new house and wants to invest a lakh of rupees and the house, let us suppose, is occupied by the people who tether oxen, etc. there. They are cartmen. The controller may say: all right; we would not allow you to reconstruct unless you keep only part of it. Is there any obligation on the cartwala to keep occupying the place on rent even for six months? He can give a notice and say he does not require the house. He must keep that house for that very purpose and make use of that house for that very purpose . . .

Mr. Deputy-Speaker: May I remind the hon. Member that he has already taken half an hour?

Pandit Thakur Das Bhargava: Sir, I submit that it looks to be very hard. It is a very harsh condition. In some cases it will be a great hardship on a person who wants to invest money. I can understand if the tenant agrees to keep the house for such and such a period, say, five years, or even two years and that it will be used for that particular purpose. Then, there is some sense. On the one side, he must build a house for that particular person in that particular way but there is no obligation so far as the other person is concerned. I know a person who wants to build a house and invest a large sum but he will not be allowed because he has now kept tongawalas, cartmen etc. in the premises.

I am glad I have been invited to give my opinion on a particular point. In Punjab and other places, tenants who have been cultivating lands for a particular period and for long time have been given right to acquire those lands after some time. Is it fair that tenants who have been living in certain houses should be allowed to purchase those houses? Left to myself, I would like to say that there should be no tenant anywhere; all persons may live in their own houses. But I am of the view that, if you can pay the reasonable market value, you should get those places specially from person who have got more than one house. It is my considered view that every person should have his own house, own his field and cultivate his own field. I would be happy if those things can be brought about easily. I know that the principles which my hon. friend, the Law Minister, had adopted for fixing the standard rates are not satisfactory. I want one uniform principle should be applied: all the world over such principles are in vogue. In India alone, the basis of the standard rent is ten per cent of the 1939 level and $8\frac{1}{2}$ per cent of the 1951 level. It is not a fair basis which is applicable to all. You must adopt one basis and it is the market value of the property. You may allow any amount of interest on that. It may be linked to the cost of

living. If the cost of living is less or more, it can fluctuate. The basis of this valuation should be one and not different for different years and different premises. I know what was the rate in 1939. I do appreciate that we cannot take up a revolutionary step like this but let us move towards that. If it is a reasonable proposition, then you take the market value as the basis. I am of the view that the poor tenants should not be put to any difficulty; their rent should not unreasonably be enhanced but at the same time I know that there are tenants who are richer than the land-lords. It cannot be said to be an absolute proposition. But many in Delhi have their houses in other places and are living in these rented houses since long time and raising rents on their own buildings. Such tenants should not be given any protection.

Shri Jadhav (Malegaon): What is the percentage?

Pandit Thakur Das Bhargava: I have not taken a census but I know many people who are in this condition and they should not be helped. They should be ordered to go to their own houses. Similarly, in regard to Government servants, if the Government gives him a permit, he will not go to his bungalow but would stick to the Government premises and rent out his bungalow. That is being done.

Sir, I have taken a fairly long time as you have already pointed out but I would respectfully call the attention of the hon. Minister to section 38 of the old Act which over-ruled all the other provisions. Now, what do we find? If it is a slum area, there will be no evictions then unless competent authority agrees in spite of controller's order. Most of the areas are slum areas. The last Act in this regard was passed at the end of 1956. In one day we passed the Tenants Protection Act, 1956 on the assurance that a new Bill would be coming. Now, what do we find? The old Act is also saved. There is no use of having two Acts; if you want those provisions, you can put them in. If the tenants want protection, give them protection; I am not against that.

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There is another important matter. In Punjab we have got a system whereby only a particular amount of stamp is chargeable for all these applications. But you are charging exorbitant court fees. It is a very big amount. You may provide for payment of Rs. 10 or Rs. 5 stamp for application to controller but not the court fees as we have been doing now.

I am happy that the hon. Minister has evolved the new machinery. It is incomparably much superior to the old machinery. It is said that the Controller must have five years' judicial service. It may be raised to seven years at least. He will be flooded with this kind of litigation. If he goes to the site and if he has a clutivated mind, his decisions will command respect by both parties. In a sense he is the executive officer and at the same time, he exercises all these kinds of jurisdictions in a judicial manner. He is just like a court of small causes. He will be able to decide many cases in one day. We considered these matters in 1947. We evolved some other thing which I need not mention. It is a very good machinery. It is good that sufficient powers have been given to him and satisfactory provision about appeals had also been made. I think this machinery will give general satisfaction.

As regards sub-letting, I had occasion to be a Member of the Select Committee in 1947 and it was at my suggestion that this rule was adopted whereby the land-lord also had some money out of the spoils of sub-letting. That gave great satisfaction to land-lords and tenants because it practically regularised the subletting. In 1951, we said that sub-letting would be only after the written consent of the landlord. This rule has practically been changed now. Whatever you may do in the future, for the past, written consent is not necessary according to this Act now. In sub-letting, though the problem of over-crowding is solved to some extent, the tenant does not get

full accommodation that he requires, and the landlord's house is also put to greater strain than it ought to be. Actually both of them are supposed to benefit by sub-letting. Therefore, I should think that sub-letting should be discouraged as much as possible. Even in jails a person is entitled to a certain amount of space. We find that in one house there are so many persons living resulting in many of the vices which the Birla Committee spoke of. I wanted to read some of those things, but I have no time. So far as overcrowding is concerned, it is very difficult to enact a law in our country by which we may say that only five or six persons should be allowed to live in a house. A man may have more children, he may be a poor man—poor people get more children—and there may be so many persons living in his house. It may not be possible for him to have another house. But if we allow sub-letting, as a matter of fact, we are allowing over-crowding. I would, therefore, submit that the hon. Minister should kindly see that sub-letting is discouraged as much as possible.

The real remedy is construction of more houses, and not in allowing more persons to live in the same house.

I have only to submit, in a few sentences, two points more, and then I have done. Firstly, so far as the liability of the landlord is concerned in regard to matters where the tenants have been made liable, we should take away that liability. It is unfair. You have said that so far as electricity charges are concerned, so far as water charges are concerned, they are payable by the tenant. That is quite fair. In regard to other charges you have been pleased to say that it depends upon the contract entered into between the parties. I do not object to that. But, at the same time, it is not fair that the electricity and the water departments should also hold the landlord liable for those charges. It is not fair to say that they may issue notices to the landlord also. Why should the landlord be responsible, when by law the tenants

are liable for these charges? Therefore, this liability should be taken away from them.

The other point to which I want to draw the pointed attention of the hon. Minister is, we take care to see that possession in cases decree is passed must be given. We have seen that tenants are fully secure, and we all want that they may be fully secure and not evicted for unjustifiable reasons. There is a tendency among the landlords to increase the rents and harass the tenants. That should not be permitted. But, when the Controller has, after going through the merits of the question, ordered that a person should be evicted, in that case the strong arm of the law must help the landlord. I have read in a Delhi case in which one landlord was thrown from the roof and killed when he went to take possession of his house. When landlords come to take possession it is an ordinary matter that they are resisted. It is human nature. If you went to take away my house where I live, I am bound to resist. But, at the same time, the law must be too strong for all. I would, therefore, like that a provision be inserted, that in cases where the landlords want police aid, and for which they are ready to pay, for the purpose of taking possession, they should be aided by police to take possession. Of course, in case where there is no such necessity, I would not like that police should be required to assist them. But this must be done in cases where it is necessary, otherwise it will mean that if a person obtains a decree after so much fighting and his need is great, he may not be able to take possession of the house.

Sir, I have many things more to say, but I do not want to take any more of your time. I have taken quite a long time, and my hon. friends are rather impatient.

An Hon. Member: No, no.

Pandit Thakur Das Bhargava: Somebody said that I may speak at night. I do not want to speak at night.

Shri Braj Raj Singh (Firozabad): I never said that. What I said then was "These consultations may be done during the nights".

An Hon. Member: We are not impatient.

Mr. Deputy-Speaker: But I am impatient.

Pandit Thakur Das Bhargava: Sir, you are really not impatient; you have been more patient than anybody else. I thank you for it. I do not want to increase the impatience of others. Sir, I have done.

Mr. Deputy-Speaker: I may inform him that he has taken 48 minutes.

श्री दाक्षपेयो (बलरामपुर) : उपाध्यक्ष महोदय, दिल्ली के किरायेदार बहुत दिनों से जिस विधेयक की प्रतीक्षा कर रहे थे वह सदन में जिस रूप में उपस्थित किया गया है उससे उनको बड़ी निराशा हुई है। इस विधेयक के बारे में सरकार का दावा है कि उसने मध्यम मार्ग का अवलम्बन किया है, मकान मालिकों को भी खुश करने की कोशिश की है और किरायेदारों को भी खुश करने की कोशिश की है। नतीजा यह हुआ है कि न किरायेदार खुश हुए हैं और न ही मकान मालिक खुश हुए हैं, रामाय स्वस्ति रावणाय स्वस्ति:। यह नीति हमें बहुत दूर तक नहीं ले जा सकती है और केवल इसी आधार पर इस विधेयक की धाराओं का औचित्य सिद्ध नहीं किया जा सकता है, कि बूक दोनों वर्ग इसके सम्बन्ध में अपनी धियायत प्रकट करते हैं इसलिए जो कुछ इसमें है उसे ठीक होना ही चाहिए। मेरा निवेदन है कि प्रवर समिति इस विधेयक की धाराओं पर विस्तृत रूप से विचार करेगी।

किन्तु मोटे तौर पर इस विधेयक में कई बातें ऐसी हैं जिन का संशोधन होना चाहिए। उदाहरण के लिए जून १९५१ के पूर्व बने हुए मकानों का किराया इस फीसदी बढ़ाने

[श्री बाजपेयी]

की जो मकान मालिकों को छूट दी गई है, मैं समझता हूँ वह उचित नहीं है। जीवन की आवश्यक वस्तुओं का मूल्य बढ़ रहा है। मध्यम वर्ग जिस की मर्यादित आय है वह बढ़ते हुए भावों और बढ़ते हुए टैक्सों के पाट में पिस रहा है। मकान मालिकों को दस प्रतिशत किराये में वृद्धि करने की छूट देने का परिणाम यह होगा कि किरायेदारों पर बोझा बढ़ेगा। यद्यपि इस वृद्धि के लिए यह कहा गया है कि मकानों की मरम्मत होना है लेकिन मैं यह जानना चाहता हूँ कि अगर कोई मकान मालिक मरम्मत न करे या ऐसी मरम्मत करे जो ऊपर से मरम्मत दिखाई देती हो लेकिन जिम से किरायेदार का समाधान न हो तो इस विधेयक में उसके विरुद्ध क्या व्यवस्था की गई है।

एक माननीय सदस्य : किरायेदार की मरम्मत हो जाएगी।

श्री बाजपेयी : अब तक का तो ऐसा अनुभव रहा है कि मकान मालिक अपने मकान की मरम्मत कराने के बारे में बहुत दिलाई से काम लेते हैं। लिफाई पुताई भले ही कर दी जाए लेकिन जिस मरम्मत में थोड़ा सा भी धन का व्यय है, उसे वे टालने की कोशिश करते हैं। किराया तो बढ़ा दिया जाएगा लेकिन किरायेदार की आवश्यकता के अनुरूप मकान में मरम्मत होगी, इसका ध्यान रखते हुए इस विधेयक में कोई भी ठोस प्रयत्न नहीं किया गया है।

इस सम्बन्ध में यह बात भी स्मरण रखने लायक है कि १९५२ का जो दिल्ली एंड प्रजमेर रेंट कंट्रोल एक्ट था उसके धनगत २ जून १९५४ से पूर्व के मकानों पर मकान मालिकों को २५ फीसदी से लेकर ५० फीसदी तक अपना किराया बढ़ाने की छूट दी गई थी। यह छूट १९५२ में दी गई थी और इस विधेयक के द्वारा उनको फिर से किराया बढ़ाने की छूट दी जा रही है जिसे किसी भी प्रकार उचित

नहीं कहा जा सकता। स्पष्ट है कि इस विधेयक के परिणाम स्वरूप किरायेदारों में असन्तोष उत्पन्न हुआ है और उनको जो भी समस्या है उसको यह विधेयक पूरी तरह से दूर करने का प्रयत्न नहीं करता।

अभी माननीय सदस्य ने सब-लेंटिंग के बारे में कुछ कहा है। मेरी यह समझ में नहीं आता कि लैंडलार्ड की जब यह छूट दी जा रही है कि वह किराये में वृद्धि करे १२.५ प्रतिशत की और २५ प्रतिशत की, लेकिन अगर कोई टेनेंट सब-टेनेंट को दे तो उसको २५ प्रतिशत और ५० प्रतिशत तक किराया बढ़ाने की छूट दी गई है। इसका विरोध हुआ है और मैं समझता हूँ कि ऐसा भेदभाव करने की कोई आवश्यकता नहीं है। यह तो ठीक है कि जब सब-लेंट किया जाता है तो भीड़ बढ़ जाती है और जेलों में भले ही ऐसी व्यवस्था हो कि कैदियों की संख्या निर्धारित संख्या से ऊँची न होने पावे...

श्री बख्शराव सिंह : वहां भी नहीं हो पाता है।

श्री बाजपेयी : लेकिन भीड़ की बात यह है कि स्वयं भारत में जेलों की अपेक्षा जेलों के बाहर की दशा खराब है। लेकिन जब हमें चुनना है कि कोई व्यक्ति खाली छत के नीचे, झूप में, बरसात में या गर्मी में अपने दिन बिताये या भीड़भाड़ में रहे, तो मैं समझता हूँ कि मानवीय दृष्टिकोण इस बात की मांग करता है कि भीड़भाड़ को सहन कर लिया जाए। अगर सिर छिपाने के लिये छत तो होनी चाहिये। यह ठीक है कि अगर धामदनी के लिए धन की प्राप्ति के लिए सब-लेंटिंग किया जाता है तो उसको निहत्साहित किया जाए। लेकिन उस समस्या का एक पहलू और भी है कि देश में मकानों की कमी है। दिल्ली में लाखों लोग बेघरबार हैं। उन्हें सिर छिपाने के लिए जगह चाहिये और जो भी पगड़ी की या अन्य

बुराई पैदा होती है उसका मूल कारण यही है कि मकानों का अभाव है और जब तक सरकार विधाल पैमाने पर मकानों का निर्माण नहीं करती और उन्हें नो-प्राफिट नो-लास बेसिस पर लोगों को नहीं देती तब तक यह समस्या रहने वाली है। मगर हमारी सरकार को क्या कहिये जो इसमें भी मुनाफाखोरी कर रही है। दिल्ली में जिसे डिवेलपेड प्लॉट कहा जाता है, ४५ रुपये गज पर दिल्ली डिवेलपमेंट प्रायोरिटी द्वारा बेचा जा रहा है। अगर इस भाव पर जमीन बेची जाएगी और जब तक वह डिवेलप न हो, उसमें सभी सुविधायें उपलब्ध न हों, तब तक उस पर सरकार मकान बनाने की इजाजत नहीं देगी। और जब ये सुविधायें उपलब्ध कर दी जायेंगी और उस पर मकान बनेंगे तो वे कितने किराये पर दिये जायेंगे इसका अंदाजा आप कर सकते हैं। एक ग्राम आदमी तो उसे प्राप्त ही नहीं कर सकेगा। इस वास्ते मकानों की कमी को दूर करने के लिए सरकार ने बिल में कोई ठोस और प्रभावी योजना नहीं बनाई और उस कमी की पूर्ति में जो भी कठिनाइयां पैदा होती हैं उनके निराकरण के लिए ऐसे उपाय अपनाये जा रहे हैं जो उन कठिनाइयों को सच्चे अर्थों में दूर नहीं करते। मेरा निवेदन है कि सब-लेटिंग के सम्बन्ध में जो नैटलाइज और टेनेंट और सबटेनेंट के बीच में किराया बढ़ाने के बारे में भेदभाव किया गया है, यह ठीक नहीं है। इस पर प्रबल समिति विचार करेगी, ऐसा मेरा पूरा विश्वास है।

इस विधेयक में १ जून, १९५५ तक बने हुए मकानों को छूट दी गई है किन्तु बाद में बने हुए मकानों के लिए छूट नहीं है। यह किस कारण से किया गया है यह समझने में मैं असमर्थ हूँ। मेरा निवेदन है कि नए मकानों का किराया भी अभी निर्धारित करना चाहिए तथा उसमें छूट देने का परिणाम भ्रष्टा नहीं होगा।

यह ठीक है कि नए नए मकानों के निर्माण के लिए लोग प्रोत्साहित हों, इस बात की व्यवस्था करें। लेकिन एक प्रवृत्ति दिखाई देती है और वह बढ़ रही है। वह प्रवृत्ति यह है कि लोग समझते हैं कि भूमि का तो राष्ट्रीयकरण हो गया, जो जोतेगा, जमीन उसकी होगी। और अब जब सम्पत्ति की सीमा निर्धारित की जा रही है, इसलिए लोग येन केन प्रकारेण, उचित या अनुचित उपायों से धन का संचय करते हैं और मकानों के निर्माण में लगते हैं और वह समझते हैं कि मकान हमारे सुरक्षित रहेंगे। मैं समझता हूँ कि इस प्रवृत्ति को निरुत्साहित किया जाना चाहिए। जो मकान मालिक हैं उन को काल के, युग के संकेत को समझना चाहिये कि वह समय आने वाला है जब एक से अधिक मकान जिसके पास होंगे, उन को इसे दूसरों को देना होगा। अगर वे गृहदान कर दें तो बहुत भ्रष्टा है, नहीं तो कानून से यह हस्तक्षेप करना होगा। इसलिये कि मकानों के निर्माण को प्रोत्साहन देना है, किराये को बढ़ाया जाय और उन को अन्य सुविधायें दी जायें, इस प्रवृत्ति को मैं ठीक नहीं समझता।

मकानों की जो कमी है उस को जब तक सरकार अपने प्रयत्नों से पूरा नहीं करेगी तब तक वह कमी दूर होने वाली नहीं है। मकान मालिक मकान बनाते हैं मुनाफे के लिये। उन से यह आशा करना कि वह किरायेदार की सुविधाओं का ध्यान रखेंगे, आकाश कुसुम के समान है। आकाश कुसुम जैसी कोई वस्तु नहीं। इसी तरह से मकान मालिक के सारे काम लाभ को दृष्टि में रख कर किये जाते हैं। इस में कुछ अपवाद हो सकते हैं, परन्तु वे अपवाद नियम को सिद्ध करते हैं। उसे गलत साबित नहीं करते। और इसलिये विधेयक में मकान मालिक और किरायेदारों के बीच में जो सन्तुलन स्थापित करने का प्रयत्न किया गया है, मैं समझता हूँ कि वह सफल नहीं होगा। सरकार को किरायेदारों की कठिनाइयों पर विचार करना चाहिये।

[श्री बाजपेयी]

यह मैं स्वीकार करता हूँ कि किरायेदारों के अधिकारों की भी सीमायें होनी चाहियें, जैसी इस विधेयक के अन्दर व्यवस्था की गई है, और अगर कोई किरायेदार मकान मालिक के लिये या घास पास के पड़ोसियों के लिये मृगीबत का कारण बन जाय, फिर भी उसे निकाला नहीं जा सकता, इस से मैं सहमत नहीं हूँ। जो निकाले जाने के पात्र हैं उन्हें अवश्य निकाला जाय। मगर मकान मालिक के हाथ में ऐसे अधिकार न रखे जायें जिन का दुरु-उपयोग हो और मुझे आशंका है कि इस विधेयक के द्वारा मकान मालिकों पर जितना नियंत्रण चाहिये, उतना नहीं रखा गया है और इसी के कारण सरकार के इस विधेयक का कहीं स्वागत नहीं हुआ। संस्यक जनता ने इस को निराशा के रूप में लिया है। विधेयक निराशा-जनक है। मुझे विश्वास है कि प्रवर समिति इस विधेयक की सारी कमियों को दूर करेगी और मैं सरकार से इस बात की अपील करूँगा कि दिल्ली और नई दिल्ली की बढ़ती हुई आबादी को देखते हुए उनके मकानों के निर्माण की एक व्यापक योजना अपने हाथ में लेनी चाहिये। समस्या का निराकरण इसी में होगा, अन्य कोई रास्ता नहीं है।

श्री जाधव : इस बिल के सदन के सामने आने के पहले भी इस बिल की कमियाँ सामने आईं और वह कमी रहेगी। यह बिल सदन के सामने आने वाला है और इस बिल की इपिटिंग करते वक्त जो जो बातें सामने आईं वह बाहर भी गई और उसका असर यह हुआ कि यह बिल जो मकान मालिक हैं उन के लिये फेवरेबल है और उन के दबाव के कारण यहां पर लाया गया। मुझे ऐसा मालूम होता है कि जिस स्वरूप में यह बिल सदन के सामने है वह ज्यादातर मकान मालिकों का फायदा करने के लिये है। जो मकानों में रहने वाले लोग हैं उन को उस से कम फायदा होने वाला है। मुझे तो अपने डिप्टी मिनिस्टर साहब की दयनीय परिस्थिति पर बहुत रहम आता

है। जिस पार्टी के वे नुमाइन्दे हैं, ट्रेजरी बेंच के बिल के होते हुए भी उन की पार्टी के लोगों ने इस बिल की जो दशा बतलाई है उन के ऊपर उस का क्या असर होने वाला है, मैं आज समझ नहीं सकता। लेकिन मैं चाहता हूँ कि जो हमारी पार्टी के लोग हैं जब वे इस बिल के ऊपर अपनी राय पार्लमेंट के खिलाफ देते हैं तो उससे हमें इस बिल के बारे में सोचना चाहिये और इसको हमारे डिप्टी मिनिस्टर को गौर से सुनना पड़ेगा।

कुछ भाव शीघ्र तदर्थ : राज्य मिनिस्टर।

श्री जाधव : राज्य मंत्री को ही सही, उन को बहुत गौर से सुनना पड़ेगा। बात यह है कि मकानों की किल्लत है और मकानों की किल्लत की वजह से मकान मालिक फायदा उठाते हैं। इस लिये रेंट कंट्रोल बिल सामने आता है और जहां रेंट कंट्रोल का सवाल आता है, वहां जो पैसे वाले लोग हैं, उस का फायदा उठाने की कोशिश करने हैं। इस लिये हमें इस की तरफ बुनियादी बातों के हिसाब से देखना चाहिये। दिल्ली की आबादी बढ़ती जा रही है। और आगे भी यह बढ़ती रहेगी। सन् १९४७ के पहले, आजादी आने के पहले, दिल्ली की आबादी सिर्फ ५ लाख थी, और अब बताया जाता है कि वह लगभग २२ लाख की हो गई है।

श्री नवल प्रभाकर : २४ लाख।

श्री जाधव : यहां फिगर्स अलग अलग होते हैं। हमारे यहां के स्टैटिस्टिक्स ही ऐसे होते हैं। मैं ने इस दिल्ली के रहने वाले अपनी बहुत सुभद्रा जोशी जी से पूछा कि क्या आप जानती हैं कि दिल्ली में कितने मकानात हैं। उन्होंने कहा कि जब १९५२ में यह बिल आया तब भी कोशिश की गई, लेकिन उस वक्त भी यह मालूम होना बहुत मुश्किल था कि सही फिगर क्या है। जो सेंट्रल

गवर्नमेंट की बिल्डिंग्स हैं उन को सामने रखते हुए और जो दूसरी एरियाज में बिल्डिंग्स हैं उन को सामने रखते हुए, अभी भी मकानों की बड़ी किल्लत है। गवर्नमेंट के जो मुलाजिम हैं उनके लिये भी गवर्नमेंट पूरी तरह मकान नहीं दे पा रही हैं। जो दस साल तक सर्विस कर चुके हैं, शायद उन को मकान मिल रहे हैं। इस में कम सर्विस वालों को मकान मिलना मुश्किल हो जाता है। यह गवर्नमेंट का हाल है तो फिर और लोगों की क्या दशा होगी, यह हम समझ सकते हैं। मही मातों में गवर्नमेंट का यह जिम्मेदारी अपने मामले रखती चाहिये थी। मैं यह समझ सकता हूँ कि गवर्नमेंट के सामने यह नक्शा है। जो प्लैन्स बनी हैं, उन के जगहों हमें कितने मकानों की जरूरत है, हर जगह हमें कितने मकानात बढ़ाने पड़ेंगे, इस के लिये वह योजना बनायें, लेकिन हमारी गवर्नमेंट में एक बहुत बड़ी खामी है और वह यह है कि कानून बनाने के लिये तो हमारी सरकार बहुत आगे कदम रखती है, बहुत में कानून बनाते हैं, लेकिन उन को अमल में लाने में हमारी सरकार हमें बहुत शिश्कती है, शिश्कती रही है। मान लीजिये कि यहां की आबादी २१ लाख से ले कर २४ लाख तक है। हमारे देश में कैमिली यूनिट चार या पांच आदमियों का है, इस हिमाज में यहां दिल्ली में कितने मकानों की जरूरत है यह हमें सोचना चाहिये। और सब का सर्वे करना चाहिये। यह काम इस गवर्नमेंट का सब से पहले करना चाहिये और धीरे धीरे मकान बनाने की कोशिश करनी चाहिये। यहां जमीन की कीमत कितनी देनी पड़ती है। अभी बताया गया कि डेवेलपमेंट बाडें खुद जमीन खरीदता है और किराया तय करने के वक्त, जमीन की कीमत और उस पर जो इमला बबता है उन की कीमत लगाता है। मैं कहना चाहता हूँ कि गवर्नमेंट को डेवेलपमेंट करते वक्त देखना चाहिये कि जो प्लाट्स हम खरीदते हैं डेवेलपमेंट करने के बाद उन की कीमत कम से कम हो।

वहां जो गवर्नमेंट की तरफ से सुधार करने हों, उसकी सही कीमत जो हो, वह ऐक्वीजीशन की कीमत देखने के बाद गवर्नमेंट को प्लाट्स बनाने चाहिये।

अभी कुछ माननीय सदस्यों ने जैसे कहा मैं भी उनसे सहमत हूँ कि हम बिना में जो किराया तय करने का फारमूला दिया हुआ है वह बहुत गलत है। हमारे मित्र पंडित ठाकुर दास भागवत ने कहा कि मैं तो चाहता हूँ कि किराया ५ फीसदी से ज्यादा नहीं होना चाहिए, ५ फीसदी ही क्यों वह तो साढ़े ४ फीसदी से भी कम होना चाहिये लेकिन दूसरी तरफ वे कहते हैं कि नैडलार्ड्स के इंडेक्स की ओर भी गवर्नमेंट को देखना चाहिए और उनको बिल्कुल नजरअंदाज नहीं कर देना चाहिए। सवा ८ फीसदी से ज्यादा उनको किराये के तौर पर मिलना चाहिए, यह जो गड़बड़माला है यह मेरी समझ में नहीं आता। मैं समझता हूँ कि किराया तय करते वक्त किराया देने वाले आदमी की पेंडिंग कैपेसिटी क्या है इसको हमें देखना पड़ेगा।

मैं अभी एक गवर्नमेंट के मुलाजिम से मिला और पूछा कि तुमको क्या तनख्वाह मिलती है। उसने मुझे बताया कि सब तनख्वाह एमांड्स वगैरह मिला कर १७० रुपये माहवार मिलते हैं। उसमें से १० फीसदी रकम मकान के किराये के तौर पर काट ली जाती है क्योंकि उसे गवर्नमेंट की तरफ से क्वार्टर मिला हुआ है। मकान किराया, विजली और पानी इन सब को मिला कर १७० रुपये में से करीब ४० रुपये काट जाते हैं और कुल १३० रुपये उसके पास बाकी बच रहते हैं। अब आप स्वयं समझ सकते हैं कि इस १३० रुपये से वह खुद अपने को, अपनी पत्नी और चार, पांच बालबच्चों को कैसे पाल पोंस सकता है, इसको भी हमें देखना पड़ेगा। इस हमारी दिल्ली में गवर्नमेंट सर्वेंट्स, खास करके सेंट्रल गवर्नमेंट के, कारपोरेशन के, म्युनिसिपल कलेक्टोरेट के गवर्नमेंट सर्वेंट्स की धाबाही

[श्री जाधव]

ज्यादा है। यहां रेक्यूजीज की आबादी ज्यादा है। यहां पर हिन्दुस्तान के हर कोने से मजदूर और गरीब लोग आकर बसे हुए हैं। ऐसे लोगों की पेइंग कैपेसिटी क्या है, किराया देने की ताकत क्या है, उसकी तरफ हमें देखना पड़ेगा और उसको देखते हुए यह जो रेंट का फारमूला बनाया गया है वह सही फारमूला नहीं है।

दूसरी बात मैंने इसमें यह देखी है कि स्टैंडर्ड रेंट तय करते वक्त एक साल से भ्रगर ज्यादा कोई आदमी मकान में रहेगा तो स्टैंडर्ड रेंट को तय करने का जो कानून है उससे जो फायदा मिलने वाला है वह फायदा मकान मालिक को मिलेगा और वह फायदा किरायेदार को नहीं मिलेगा। मकान मालिक हमेशा यह देखेगा कि वह मकान किराये पर देते वक्त हमेशा उसका जो लीज का पीरियड होगा वह उसको हमेशा एक साल में कम रखने की कोशिश करेगा नहीं तो लाइसेंस की तौर पर उसे रहने के लिए कहेंगे ताकि उसको वह फायदा न मिले।

अब जहां तक यह माकनदारों के खुद के इस्तेमाल के लिए अपने घरों को खाली कराने की बात चलती है और मकानदार इस बेसिस पर कि उसे अपना मकान खुद अपने लिए चाहिए, उसमें से किरायेदार को एविकट कर सकता है तो उसके लिए बहुत सी मिसालें दी जा सकती हैं कि किस तरह किरायेदारों को भ्रगर सताना होता है तो कुछ न कुछ बहाना बूझ कर निकाल लिया जाता है और उनको बेदखल कर दिया जाता है। कभी यह चीज सामने लाई जाती है कि अमुक किरायेदार थूकि न्यूसेंस है इसलिए उसको मकान से निकाला जाना चाहिए और कभी उनके खिलाफ कोई केस बनाया जाता है और उनको मकानों से निकालने की कोशिश की जाती है। मैं चाहता हूं कि जब यह बिल ज्वाइंट कमेटी के पास जा रहा है तो किराये-

दारों की इस भ्राम धिकायत और परेशानी की ओर भी देखा जाय और उसको रफा करने की कोशिश की जाय।

इस बिल में इसका भी कोई जिक्र नहीं है कि जब यह बिल ऐक्ट बन जायेगा तो वह कब से लागू होगा। बिल में यह जरूर कहा गया है कि उसके लिए गवर्नमेंट को गजट में नोटिस देना पड़ेगा। मुझे यह कहना है कि जब यह बिल ज्वाइंट कमेटी के पास जाय तो इस के लिए भी सोचा जाय कि इस को कब से लागू किया जाय ताकि यह बिल सदन से पास होने के बाद और ऐक्ट बन जाने के बाद जहां जहां इसको लागू करना चाहते हैं वहां वहां पर एक निश्चित तिथि से अमल में लाया जा सके। ज्वाइंट कमेटी को इस बिल में जो डायमियां हैं, ममलन रेंट तय करने की, उसकी तरफ ध्यान देना होगा। लोगों की पेइंग कैपेसिटी को भी उसे देखना होगा। हमें यह भी देखना चाहिये कि जो मकान मालिक लोंगों से पगड़ी लेते हैं वह नाजायज चीज किस तरह से बंद की जा सकती है। हमारे जो कंट्रोलर्स हैं, असिस्टेंट कंट्रोलर्स हैं या यह जुडिशियरी के मजिस्ट्रेट्स धायेंगे जिन्होंने कि जुडिशियरी में ५ साल तक सर्विस की है, लेकिन उधर भी हमें यह देखना पड़ेगा कि बराबर इस बात को अमल में लाने के लिए वह कोशिश की जाती है या नहीं।

15 hrs.

अब जब कि यह बिल ज्वाइंट कमेटी के पास जा रहा है तो मुझे धाया है कि उसका ध्यान बिल की इन खामियों की ओर जायगा और उन खामियों को दुरुस्त करने की कोशिश की जायगी।

जहां तक सबलैटिंग का ताल्लुक है, यह गैर-कानूनी नहीं करार देनी चाहिए, ऐसा मैं मानता हूं। यह चीज अलबारों में भी आ

सुकी है और मैं समझता हूँ कि माननीय सदस्य भी इससे परिचित होंगे कि यहीं दिल्ली में कई बस्तियाँ ऐसी हैं जिनमें कि लोगों को दो, दो कमरे वाले मकानों का २००, २०० रुपये तक माहवारी किराया देना पड़ता है और मुझे बतलाया गया कि कुछ बस्तियों जैसे डिप्लोमेटिक इनक्लेव आदि में तो २, २ हजार रुपये माहवार किराया देना पड़ता है। अब आप स्वयं समझ सकते हैं कि जब आदमी को मजबूरी से इतना अधिक किराया देना पड़े और अगर वह सबलैटिंग करने पर मजबूर हो जाय तो आपको यह समझ लेना चाहिए कि ऐसा वह कोई खुशी से नहीं करता है और आज जो इस सबलैटिंग को गैर कानूनी करने की बात चलती है वह कहाँ तक उन किरायेदारों के साथ इंसाफ होगा? उसके पहले जो सबलैटिंग हुई है उसके बारे में तो कुछ कर नहीं सकते लेकिन उसके बाद भी अगर सबलैटिंग होगी, तो उसको भी गैर कानूनी करार देना ठीक नहीं होगा। इन बातों की तरफ ज्वाइंट कमेटी को भी देखना चाहिए और जिन बातों की तरफ मैं ने इशारा किया है, उन बातों की तरफ भी अगर मिनिस्टर साहब देखेंगे तो इस बिज को सदन में लाने का जो मकसद है वह पूरा हो सकेगा, ऐसा मैं मानता हूँ।

Shri Naushir Bharucha (East Khadesh): Mr. Deputy-Speaker, I have had experienced of nearly 20 years in dealing with rent control legislation—its actual implementation—and I have watched law courts working for all these years; I know what the real effect of rent control legislation can be. In fact, in Bombay State, particularly Bombay city, the working of the many provisions has proved to be absolutely illusory. The safeguards given to the tenants are merely on paper and in actual practice, we find that none of the difficulties sought to be eliminated by legislation has been actually removed.

We all recognise that there should be some basic principles which should

be borne in mind, when legislating that the rent control legislation does not hamper now building activity, that the tenants are protected from exploitation and some reasonable stimulant must be provided to the landlord. The tenants must be assured of repairs and the landlords must be given reasonable compensation for repairs. As has been our experience in Bombay, the net effect will be that the landlord will get additional increase in his rent, but if the Government is of the opinion that the landlords will rush with the masons to repair the tenements, I am afraid the Government is sadly mistaken.

May I also point out that as far as the scheme of the Bill is concerned, I am afraid it is a great deal more complicated and if the scheme of the Bill is basically altered, the calculation of rents could be simplified and the tenants would understand their rights better. As things stand today, partly on account of the fact that we are not enacting legislation on a clean slate because we have got previous rent control legislation in Delhi, we have had to resort to a very complicated scheme of original rent, basic rent and standard rent. Premises are divided as pre-1951 and post-1951. Even pre-1951 premises are divided into those let out before 2nd June, 1944 and those let out after that date. Post-1951 premises have been divided on the basis of structures erected between 2nd June, 1951 and 8th June, 1955 and different original rents, basic rents and standard rents are prescribed, with the result that it is really very difficult for us to understand this rent control legislation. After I read it three times, I could understand it only after I made a chart as to what it actually meant. So, I am afraid the landlords will have a nice time, because the scheme of basic rents, original rents and standard rents is so very confusing that very few tenants will be able to understand it.

On paper, this Bill complies with all the requirements of a usual rent

[Shri Naushir Bharucha]

control legislation. There is provision for certain percentages of increase given to the landlords, for recovery of rent, etc. Unlawful charges are made penal, which are always made penal on paper. Provision for refund of excess recovery is also there. The tenant is protected from eviction. Certain grounds of eviction are recognised. Then, provision has been made for the protection of existing sub-tenancies and forbidding future sub-tenancies. There is a new machinery created—Rent Controllers. Appeal is to be made to the Rent Control Tribunal and all the normal provisions are there. But the difficulty arises from the excessive tenderness shown by the Government towards the landlords. I am not one of those who will grudge landlords their reasonable demands, because otherwise all building activity will come to a standstill. But landlords cannot also claim that because they have got old premises, they should get additional rent on the ground that formerly rents were fixed on a lower scale. The point to be borne in mind is that by virtue of the existing circumstances, the landlord is already gaining in several ways. First, the value of lands and buildings has increased on a fantastic scale. In recent times, land has appreciated in value by 300 or 400 per cent. In some cases, it has appreciated even by thousand per cent; i.e., ten times. If you want to encourage new constructions, I suggest give the landlords sufficient scope. Give them 15 per cent increase on their actual cost of construction, but give them that increase only for five years. Afterwards, the percentage should be according to some fixed formula. I do not grudge 8½ per cent.

But as the Bill stands today, what we have done is in the case of all buildings constructed after 8th June, 1955, the landlords are to be given a *carte blanche* for increasing the rent to any extent, because the contractual rent will be the standard rent in the case of such premises. Assuming for

a moment the cost of construction is Rs. 5 lakhs, normally 15 per cent can be provided; but the Act says not 15 per cent, but he can charge even 100 per cent. Why? Is it really an encouragement to the landlord? It is a *carte blanche* given to the landlord to exploit the new tenants, because it is provided that the contractual rent will be the standard rent. I would suggest that instead of having all this rigmarole of different categories of tenements, have only two categories—pre-1951 and post-1951. In case of post-1951 premises, give them an increase at the rate of even 15 per cent on their actual cost of construction, not merely 8½ per cent, but limit that increase to five or seven years. Afterwards, this formula must come into operation—8½ per cent and nothing more. This is more than reasonable. In Bombay the formula is 8 2/3 per cent of the cost of construction and 6 per cent of the value of the land. In the case of pre-1951 tenements what I would suggest is: take the present market value of the structure and give them 8 2/3 per cent, less depreciation, subject to a minimum amount of rent. It is very easy formula to work. Then the tenant will not say: this is excessive or that is excessive. You know the amount. You have given 8 2/3 per cent of the market value. What more do they want? If we keep only two categories of premises the whole thing would be easier. But the Government does not want to do it. Government wants to oblige those people who built their tenements in 1939, whose rents have already been increased. On the top of this, they must be given something more. Therefore, I submit that the entire basis of standard rent will require to be revised.

Then I come to the question of repairs, which is a very important question. In Bombay city it is assuming alarming proportions. In the old Bombay city, before Greater Bombay came into existence, out of 51,000

buildings 17,000 buildings were of a kind which were regarded by the municipality as unfit for human habitation. During every monsoon dozens of structures collapse. That was the question which was facing the authorities in Bombay. So the question of tenantable repairs assumes very great importance, because within five to ten years all those 17,000 houses will go and an acute shortage will arise in Bombay city. I am sure, Delhi is no better in that respect than Bombay.

An Hon. Member: It is worse.

Shri Naushir Bharucha: Therefore, now what is to be done with regard to repairs. This Government is anxious to make a Diwali gift to the landlords. They say: you can take 10 per cent and carry out the repairs. Would they carry out the repairs? I say: don't give them 10 per cent., give them 15 per cent, provided the repairs are first carried out. Why can't you provide a scheme in your Bill that if there are repairs which are required to be made, they shall be made on a request in writing by the tenant; the estimate of those repairs will be framed by the municipal engineer and after the landlord has carried out those repairs, he may be entitled to 15 per cent? No tenant will grudge that. But you want to give 10 per cent without making sure that the repairs will be carried out. That is what I want to object. I am not grudging the landlord get his reasonable dues, because unless the landlord gets his reasonable dues, we will not have any more constructions. That is a matter to be borne in mind. So, the legislation can certainly be so devised that without discouraging the new constructions, you can protect the tenant and give him a return in the shape of tenantable repairs, which is his due.

I go a step further. What happens in the following contingency? A tenant makes an application in writing and the municipal engineer makes an

estimate. The landlord refuses to carry out the repairs. There are two types of landlords in Bombay city—those who are, if I may use that word, clever enough not to make tenantable repairs so that the building deteriorates rapidly. Then they obtain a certificate from the municipal engineers to pull down that structure, with the result that the tenants are thrown out. Your protection against eviction has no meaning there. There is another type of landlords who will not do this, because they want to pull down the building and put up new structures, where they will get extra amount of rent. What is to be done in those cases?

I submit that in such cases the tenant must have the power to carry out the repairs, once they are sanctioned by the municipal engineer that these are necessary repairs, up to any cost. He can stop paying the rent and carry out the repairs. We do not want unnecessarily to harass the landlords, but the recalcitrants must be brought to their senses. There must be some provisions for that in the Bill. Similar provisions were put in the Bombay Act in 1953. At that time, in the Bombay Legislative Assembly I stated that this provision will be of no avail. Not a single tenant has been prepared to undertake the repairs. So the question is whether the tenants here are much more progressive than those of Bombay. A tenant is given the right to repair without any limit—not merely to the extent of two months' rent; even more than that. He can make repairs up to any amount. But the question arises as to which tenant will dare undertake it. The moment a tenant holds up the rent, which he is entitled to withhold under the law, immediately a distress warrant is issued. Any amount of pressure is brought forward and the poor people of the low income groups, who occupy most of these houses, are put to endless difficulties. These are the tenants who are least capable of resisting the onslaughts of the landlords.

[Shri Naushir Bharucha]

In Bombay there are landlords who have got scores of buildings, each one of them. I do not know whether you have got such landlords in Delhi also. It is impossible for any tenant or group of tenants to resist them. I formed a Tenants' Association in my constituency to carry out repairs. But, ultimately, I found the whole thing did not work. The tenants were terrorised and the association collapsed. Therefore, I say that tenants require to be protected. What I say is this. Let justice be done to the landlord. I am prepared to give 15 per cent, provided the repairs are carried out first.

There are two or three points on which I desire to say a few words. With regard to sub-tenancy I am of the opinion that it should not be prohibited. If you like, let the landlord have an additional percentage, 10 per cent or even 15 per cent. Because, the sub-tenancy will always be there whether you prohibit it or not. In Bombay city it is there. Is it the contention of anybody that sub-tenancies don't exist here? They exist in a different form. Very ruthless exploitation of sub-tenancy takes place by the tenant himself. I have known of cases where the tenant sub-letting one room out of five in a flat gets the whole rent of the flat from the sub-tenant. Not only that, he sometimes earns several times the rent. Therefore, I want to legalise all sub-tenancies. There should be no prohibition against the creation of sub-tenancies. You can take additional rent for that. You can give the landlord 10 per cent or 12½ per cent more, if you like, for the additional wear and tear to which the premises would be subjected as a result of more people living in those premises.

With regard to partnership, that should not be prohibited, because its prohibition is going to work very great hardship. I would suggest that part-

nership should be placed on the same basis as sub-tenancy. In Bombay if I have got a business, which occupies certain premises, if I sell the business as a going concern with goodwill and stock in trade, then I am entitled to sell it. But the landlord gets 25 per cent increase from the new-comer. Now partnership is prohibited, whereas transfer of a new business is not prohibited. Now by prohibiting partnership you are virtually prohibiting transfer of a new business. If one person now wants to give it to another person, it cannot be done under the existing legislation. It is necessary that there should be some provision for partnership and transfer of business. Let the landlord have his share; I do not grudge it; but let it be allowed. Otherwise, it cannot be done. Of course, there are cases where the landlords are mercilessly exploited by the tenant, much more ruthlessly than the tenant is exploited by the landlord.

Coming to the grounds for ejection, there are many grounds. One is that the landlord requires the premises *bona fide* for his own use. I submit that it should be not only *bona fide* but should also be "reasonable". In the Bombay Act the term is "*bona fide* and reasonable" personal requirement for use by himself or the members of his family. A man may *bona fide* require a premises. But his demand may not be reasonable. For instance, I may be in need of a premises. If I am a landlord in Delhi and my members of the family come to two or three; if I ask for a flat which is meant for ten people, my demand may be *bona fide*, but it may not be reasonable. Therefore, we should say "*bona fide* as well as reasonable". Otherwise, I may try to acquire a premises which is too big for me. Therefore, there should be a provision that the court can partition the premises and give part of it to the landlord. Such provisions exist in the Bombay Act and the same thing should be incorporated here. Why should a landlord, who,

suppose, is a bachelor throw out a family of ten persons from a huge flat where he wants only one room? He should be satisfied with one room? All these things should be carefully looked into. I submit that my experience has been that however well worded legislation may be and however powerful it may look on paper in the protection to the tenants, tenants are so weak and unorganised and are so very ruthlessly exploited and accustomed to this ruthless exploitation that it is impossible to do too much for the tenant. Therefore I wish to say that the dice must always be loaded in favour of the tenant.

There is only one last point to which I wish to draw the attention of this House. When we talk of giving encouragement for new premises, which new premises are these? These are for the higher income bracket people who are capable of paying Rs. 200/- or Rs. 300/- a month as rent. These are not for the poor working classes. Your Bill does not solve the problem of providing housing for the working classes or for the lower middle class. What happens to them? The real need is felt for that particular bracket and the Bill does not make any provision for them! Let us get reconciled to the fact that low income group housing is impossible having regard to the cost of construction and the Government must revise its outlook towards it by giving subsidy for its construction. I am one of those who will say that where, for instance, industrial concerns provide housing for their employees subsidies can be given in various different forms and we must reconcile ourselves to the fact that low income group will not have housing unless Government consciously takes this up. We are not so much in need of bigger flats fetching Rs. 500/- a month as rent. We want low income group houses. I hope all these points will be taken into consideration by the Select Committee.

Shri Achar: Mr. Deputy-Speaker, Sir, I welcome this Bill. More than

that I welcome the general principles and the objects mentioned in the statement of objects and reasons. It says here that the intention of the Bill is to devise a suitable machinery for expeditious adjudication of proceedings between landlords and tenants. Of course, this is a very exceptional proposition and I may at once state that the landlords also do welcome this side of the law.

Shri V. P. Nayar: Are you a landlord or a tenant?

An Hon. Member: He is a landlord.

Shri Ranga (Tenali): He is neither.

Shri Achar: I do not know what exactly the other hon. Members are murmuring. Anyhow, I ignore it.

Shri V. P. Nayar: I may repeat if the hon. Member will answer that question.

You said that you welcome it and the landlords welcome it. I asked whether you are a landlord or a tenant.

Shri Achar: I find that some hon. Members in this House have stated that this is a landlords' Bill. Others have stated that it is a tenants' Bill. I would say that this is neither a landlords' Bill, nor a tenants' Bill, but a Government Bill. I hope that will satisfy my hon. friends who are always murmuring whenever I get up.

Anyhow, let me proceed, Sir. As I stated this machinery of having this legislation to have disputes between landlords and tenants settled quickly is one of the most important aspects of this Rent Control Bill. Of course, we know that these Bills or these enactments first came in the form of Ordinances only after 1940 or so so far as our country is concerned. Before that we had not much of this law. It was only in the beginning, or rather a little later after the Second War began that this problem in our country

[Shri Achar]

came to be keenly felt and we had these rent control Bills. After that, of course, we had several Ordinances and also enactments in some State Legislatures also.

One complaint that, in fact not only the tenants but the landlords more than that, have made is that delay is the worst thing and I find—I will not go into the details of the provisions—that the provisions are fairly good. It will provide summary disposal both to the advantage of the landlords and the tenants. I would like to make only one suggestion. The provision as it is only provides for future cases. There are a fairly large number of cases, about 5,000 cases or so, pending, out of which about half are in respect of ejectment. Now, they are pending before civil courts. We know that the delay, which unnecessarily we are experiencing, is in civil courts. Of course, it is for the Government to decide, but I would suggest to the Select Committee as well as to the Government to consider the question whether those cases also should not be transferred to the Controllers. That is the only point that I would like to make so far as that question is concerned, but I would like to emphasise more on the other problem—the problem of compromising the two positions as stated in sub-clause (b) of the statement of objects and reasons in paragraph 2. It says:

“to provide for the determination of the standard rent payable by tenants of the various categories of premises which should be fair to the tenants, and at the same time, provide incentive for keeping the existing houses in good repairs, and for further investment in house construction;”

This, I would submit, is a very complicated economic problem and it has to be considered from a very broad point of view. I would like to make a few suggestions both to the Joint Committee as well as to the

Government. We did not have this problem till about 1940. In fact, in the twenties and the thirties, I know, because human nature is everywhere the same, whether it is Mangalore or it is Delhi or any other place, the situation was that houses were vacant and whenever a Government servant was transferred to a particular place the landlords would go, the owner of the house would go and request the official, who had come, to take his house. There used to be competition between the landlords to get good tenants. How is it that the situation now is altogether different? This is a broad point and an economic question which has to be very deeply considered. I would say....

Shri V. P. Nayar: Let us have quorum for a change.

Mr. Deputy-Speaker: The hon. Member may resume his seat. I am having the bell rung.

Shri V. P. Nayar: The hon. Member must be heard at least by 50 hon. Members.

Mr. Deputy-Speaker: Now, there is quorum. The hon. Member may resume his speech.

Shri Achar: I was saying that this is a very important economic problem and it must be considered more as an economic question than a question in which there is sentiment that the tenant is poor,—why should he pay so much,—not from any other point of view. The main question will be one of demand and supply. We have to look at this problem from that point of view.

As I stated, in the earlier years, in the twenties or thirties, there was not such a problem. Now, this problem is becoming keener day by day. Houses are not coming up whether it is Delhi or in the mofussil towns. What is the reason? If the Government itself could solve the

problem and invest a large amount of money and build houses all over the country, that would be all right. We have heard the hon. Shri K. C. Reddy say that the problem is so vast and the Government will not be able to cope up with the problem at all. Unless we are able to attract the private owners to sufficiently invest in house-building, I feel that this problem will not be solved. It should not be considered as a sentimental matter at all. It must be considered whether the provisions which we have put in this Bill or which we are going to put would persuade private owners, private individuals to invest sufficient money in house-building. What we find now is, regular houses are not built, but slums are coming up. I know of instances where a private individual puts up a few small sheds. He simply puts up five rooms with very little arrangements for either sanitary arrangements or water supply. Nothing of the kind is done. Simply five rooms are put up. Hardly Rs. 500 or 600 are spent on them. He is able to charge Rs. 10 for each of these and he is able to collect Rs. 50 per month. That is to say, if he invests Rs. 500 or 600, in the course of one year, he is able to collect all his investment. We find such slums are being built; only buildings which could come up in slum areas are coming up.

On the other side, we see good houses are not at all being built. As I said, in the twenties, there used to be competition among the land-owners to get tenants. Now, the position is, nobody is able to get a house. What is the reason? That is the problem we have to consider. Here it is that the question of incentive comes in, and the policy of the Government, not only in Delhi, but all over India. There must be a policy which would encourage the private individuals to invest money in house-building. What we find is, practically, there is no definite policy. Several

amendments are introduced now and then and every State is following a different policy. These Rent Control Acts are being extended from year to year. There is no definite policy followed by the Government. A person who would like to invest has no certainty as to what is going to happen if he invests a considerable amount of money. What I would submit is, either the Government should take up a policy of building houses all over the country, especially in the towns or the Government should have a definite policy as to how they would look at the individual investors who are likely to put up houses. I understand that the Government may not be able to build houses; the next alternative is to give sufficient encouragement to the individual owners or investors to invest sufficient amount of money in house-building.

Then, again, the question would arise as to what exactly the investor's aspect is. I am not in favour of stating that the Government should say that they are going to give them a wide margin of profit or anything of the kind. The question of settling a fair rent or standard rent should not depend on any contingent circumstances, or according to a whim or fancy. Some say 8 per cent, some say 10 per cent, etc. That should not be the policy. The policy should be, I would submit, a good return, a definite percentage; on the investment he must get a profit.

An Hon. Member: What is the rate?

Shri Achar: That would depend on all aspects. The Government should consider that aspect. If necessary, the matter should be considered in the Joint Committee. I would suggest a guarantee of 8 per cent. It may be even 5 per cent or 4 per cent; that does not matter. There should be some guarantee to the investor that if he puts up a house, he would be able to get a guaranteed rate of interest on the investment

[Shri Achar]

he makes. Suppose he puts up a house for Rs. 10,000. Now, there is a certain provision of law. Next year, if the Government changes, that policy will be changed. That seems to be the position now. That is why we find that the private investors are not coming forward to build houses. Only slums are coming up because of the uncertainty that prevails now and investors are not inclined to put up any houses.

There is another aspect and I find one of the Members was advocating it, that prices of materials have gone up, the cost of living has gone up and the tenants are not able to pay and so, the rent should be reduced. I will give one specific instance how this kind of policy will end in great hardship. Let us take the economic position as it was before 1930. Suppose the owner has invested about Rs. 10,000, before 1939, before the Second World War. In those days, probably, that house will be rented for Rs. 600. A fair rent, 6 per cent. Take the position now. He has invested 10,000 in 1938. Taking the ordinary proposition of economic law, prices have gone up four times and that house will be worth not Rs. 10,000 but Rs. 40,000. The rent that the owner was getting in those days would be Rs. 600. Now, the rent control Acts would say, you add 8 per cent or 10 per cent. Some people say, some percentage. Will that be an adequate remuneration for that person who has invested Rs. 10,000 if the house is in proper condition? The owner was getting only Rs. 600 at that time. What is now the value of Rs. 600 that he would be getting now or 8 per cent added, Rs. 700.

Shri Naushir Bharucha: That is not the point. A basic rent is prescribed for such houses.

Shri Achar: I am not concerned with that. I am only saying that this method of this percentage will not apply to all cases, when we consider the position of buildings built prior

to 1940. How hard will it be on the person who has invested? I would submit, if Rs. 600 was the fair rent in those days, now, four times that would be a fair rent because prices have gone up four times and the value of a rupee is only one-fourth.

Shri Naushir Bharucha: What about the appreciation of his capital?

Mr. Deputy-Speaker: Order, order. He should be allowed to proceed uninterrupted. I hope the hon. Member is now trying to conclude.

Shri Achar: As I said, my main point is, if, as a matter of fact, the value of the rupee has very much gone down, a person who was getting Rs. 600 for the Rs. 10,000 he had invested, is to be paid Rs. 600, certainly, it will be a great injustice.

So, the main point I would like to urge is that the landlord or the person who is going to invest in houses must be assured of getting a definite percentage of profit—I would say not even profit, but some interest on his investment.

15.42 hrs.

[SHRI BARMAN in the Chair]

The great difficulty now is that nobody knows what is going to happen tomorrow. So there must be a policy of Government, a consistent policy which assures the investor a certain reasonable rate of interest for the investment. If he is assured of it, I feel this problem would be solved to a great extent. Of course, if the Government itself takes it up and puts up buildings, that will be all right. If not, there must be incentive to the individual investor, and for that purpose a long view must be taken and a definite rate of interest, if not a definite rate of interest at least some margin of four or five per cent, whatever it be, must be assured. If that is assured, I feel that this housing problem could be solved to a considerable extent.

because it is not merely the cost or anything like that. If we look at the economic principles and the situation that prevails until 1920 we find there was no problem at all. Now because the things are uncertain I feel the individuals are not prepared to invest and buildings are not coming up.

Shri Balasaheb Patil (Miraj): Much has been said about the protection of the interests of the landlords, but when I read the title of this Bill it seemed to me that it was a misnomer, for it reads "Delhi Rent Control Bill". Instead of that, it ought to have been "Delhi Rent Increase Bill", because it is very significant in this Bill that we find that it does not control the rent at any stage whatsoever.

First of all, it increases by 10 per cent over the basic rate. Secondly for the houses that were built after 1951 this does not apply. There is no control over the agreed rent, and the rent in respect of the houses that are to be built after the commencement of this Bill will not be controlled at all; the rent will be as per the agreed rates. Therefore, my submission will be that it may be just possible for the hon. Minister to change the heading so that it may not create confusion in the minds of the persons reading it.

Shri V. P. Nayar: Why not "Delhi Rent (No Control) Bill"?

Shri Balasaheb Patil: Not only should there be a change in the heading. We always feel that the preamble would throw some light on the principles that are laid down in the Bill. The preamble reads like this: "to provide for control of rent". It must be "to provide for increase of rents and further for evictions", because it is not controlling the evictions at all. In clause 14 we find that only in the provisos there are certain safeguards given to the tenants, and in the main clause which runs into several sub-clauses, the right is given to the landlord to evict the tenant.

Not only that. So far as the sub-tenant is concerned, here are so many clauses here which are most confusing. Even if we go through them we fail to understand the meaning of these clauses. Further, these clauses not only give the power to evict the original tenant, but to evict also the sub-tenant who might have been living there for several years. After the commencement of the Bill also, the original tenant as well as the individual sub-tenant can be evicted, and the eviction is on some paltry matter, i.e., default.

We can understand eviction on default, but what sort of default is stated in clause 14?—default for one month only, and the rent has to be paid within the fifteenth of the next month. If a person fails to pay the rent within that period, the landlord will run to the Controller saying: "Here is a default, evict him." For the first default, the Controller will give some solace to the tenant, ask him to pay it within a certain date, but if the default occurs again, then the tenant will be evicted. Is it fair? Is it any protection to the tenant who defaults?

There are many categories of tenants, and especially tenants coming from the working class, the low income group and the lower middle classes may be in monetary difficulties and may not be in a position to pay within the fifteenth of next month. Therefore, my submission to the hon. Minister will be that if there should be any eviction on account of default, at least six months' time may be granted to the tenant, and only after six months the landlord should get the right to proceed against the tenant. And for the subsequent default also, the tenant should be given some protection, and only after that can be driven out.

Not only that. I say it is a Rent Increase Bill because I find there are so many categories. In the case of houses built before 1944 I find from

[Shri Balasaheb Patil]

Government records that it was only in 1943 that prices began to rise. There was only one year of increased prices in this category, and how many houses were built in India within that one year, may I know from the hon. Minister? I think not even one per cent, not even one-thousandth of one per cent were built in Delhi. First of all in 1947 they increased it by 12 per cent and more, and now they are increasing by 10 per cent. For what?

I find that there is a difference between the houses built after 1944 and before 1944, for the houses built after 1944 we have taken into consideration the price of construction and the price of the land on which it is constructed, but for the houses built before 1944 no such thing is allowed at all. Because the house was built so many years back, because the landlord had taken rent for so many years, because he has exploited the tenant for so many years, he is to get an increase. That is something which cannot be understood at all.

I can understand that from 1944 to 1951-55 and then up to 1958 it is given to the landlords that they can recover the rent according to the agreement, but what is the rent? They have tried to tackle this problem four or five times, in 1944, 1947, 1952, 1954 and 1958. At least they might have taken some survey of the tenancies, a survey of the landlords who are the owners of the houses and ascertained who are the persons living in the houses, and then they ought to have come with this Bill. Also, they might have taken a survey of the rent for the new houses that were built after 1944. According to the information that is supplied to me within one to three years the person who has built a house after 1944 recovers everything that he has spent in constructing the house and purchasing the site. Thereafter he gets the rent for three, four, five or even eight years because he does nothing, just owns the house, and the Government gives him the privilege of exploiting the tenant. That is

the facility given to him. Therefore, my submission to the hon. Minister will be that he should go into the question of the houses built after 1944 up to 1958 and see if the price of the construction and the price of the land has been recovered from the rent received. No further increase should be allowed in respect of those houses also.

Further, I agree with Shri Naushir Bharucha's submission that for five years give latitude to them to get whatever rent was due under the agreement, but thereafter fix the rent.....

Shri Naushir Bharucha: I did not say that.

Shri Balasaheb Patil: 15 per cent, something like that, but further no more latitude should be given to the landlords.

I want to place before the House certain things concerning the incentive to invest. Let us see where the landlord invests his money. He has to invest either in a bank, if he has sufficient surplus money, or in the national savings certificates or in constructing houses. There are so many other modes of investment also in trade and other things, but they are risky, because it depends upon market trends and he may lose at any time. In banks the rate of interest is 4 per cent, in national savings certificates up to 5 per cent is allowed and in houses, because the money is to be taken from a third person, the Government are not concerned and they are very magnanimous to give 12 per cent first of all to 25 per cent in 1947. Now it is 10 per cent. This is something we cannot understand.

Therefore, the whole question of basic, fair and standard rents may be gone into thoroughly. My submission is that up to 1944, only 6 per cent may be allowed, thereafter up to 1958, if a period of ten years has elapsed,

then 6 per cent. and no more. That is about rent.

As regards eviction, I want to state there may be a line of demarcation up to the commencement of this Act in the case of sub-tenants. Those who were sub-tenants on the date on which the Act will come into force will be tenants automatically. The procedure that is laid down runs into four or five clauses, one after the other, saying that the parties may go to the Controller and make an application, be heard, lead evidence and spend money. For what? For legalising or illegalising sub-tenancy. So a provision should be made at this stage so that the relationship between tenant and sub-tenant will cease and that between sub-tenant and landlord will start, so that the landlord will get whatever is due and the tenant will lose whatever he was not at all due to get.

Then I will say something about deposit of rent. There are many clauses here on that. I think they are unnecessary. The only point is this: suppose a person refuses to accept the rent, the landlord refuses to accept the rent, the tenant will deposit the rent. It may also be stated in the Act that he should give notice to the landlord that he has deposited the rent. That will end the matter. But in this Bill we find that there are so many clauses. He has to make an application to the Controller. The Controller has to give notice to both parties, hear them, take evidence and come to a conclusion. The man has to wait for five or eight years and thereafter it will be property lapsed to the Government. Everything is clumsy. I do not think there will be any landlord who will be negligent in not getting the money that is deposited on his behalf. Therefore, all these clauses are superfluous and they should be scrapped from the Bill.

Then there is one chapter about hotels and lodging-houses. One provision here is about fair rent. That

has to be decided by the Controller according to circumstances. Just as we have laid down a certain formula in the case of private individuals and tenants, why not lay down a formula fixing the rate chargeable for lodging and boarding? I find in Delhi so many hotels getting huge amounts by way of boarding and lodging charges. Therefore, there should be some control over them.

Then there is no provision whatsoever in this Bill as to the relationship between a lodger and the owner of the lodging and boarding house. There should be some provision at least which would regulate their relationship, which would throw some light on the standard of cleanliness, service and more of behaviour and so on. If the Controller has the authority and power to inspect everything, he could see that everything is all right.

Another thing I find is the provision regarding appointment of the Controller. I am opposed to this principle for a simple reason. Yesterday the Minister in-charge of this Bill quoted the number of cases—5000 or more—but he failed to indicate for how long they are pending before the courts. The reason given for the appointment of Controller is that the cases before the civil courts are dragging for years together. But we want to know whether the cases before the Controller will not drag. What is the surety about their not being dragged before him? What is it that the Controller will decide in a few minutes only? Another thing is that the expenditure on the Controller is nearly Rs. 80,000 per year. Can we bear this further burden? Instead of that I will suggest the appointment of a new Judge or transfer of a Judge to deal with the cases. He will finish them as the Controller will finish them.

There is one provision here, as is usually found in such Acts, that is, clause 54. It says that cases pending before the civil courts under the previous Acts will be conducted as if this

[Shri Balasaheb Patil]

Act had not been enacted or enforced. That cannot stand. My submission is that the previous Acts were faulty because they had certain lacunae in them; therefore, this amending Bill has been brought forward. There will not be much difference between those cases and the cases that will come under this Act. Therefore, if the Government insist upon appointing a Controller they can transfer the old cases to the Controller who will do justice according to this Act. This will also give some more benefit to the poor tenants who are harassed by the landlords. Out of the number quoted yesterday nearly 5000 cases are eviction cases. So my submission is that instead of that clause, there may be another clause according to which the cases will be transferred from the civil courts to the Controller so that speedy justice—which is supposed to be the object—will be meted out to the tenants.

Shri Naldurgker (Osmanabad): This Bill merely displays ostentation about safeguarding the interests of the tenants, but in its interior it has armed the landlords with sufficient power of eviction. By the definition of "basic rent" with reference to Schedule (2) which is skilfully amalgamated with the "standard rent" as defined in the clause (6), the tenant is obliged either to pay exorbitant enhanced rent or to evacuate the occupied premises.

I refer to chapter III. It does not create proper and sufficient safeguards in favour of the tenants against their eviction, but chapter III provides more loopholes in favour of landlords who, no doubt, can take advantage of them in future for eviction of the tenants. I therefore request the Minister that chapter III as well as the definition of basic rent and standard rent with proportionate reduction of 10 per cent must be reconsidered. Otherwise, I am afraid the tenants who have been living for a long time in their quarters and persons who have come here and want to stabilise themselves here, will have to pass through still more difficult days.

16 hrs.

Apart from these, there are some provisions in this Bill which are contrary to each other. For this reason, they create a certain amount of confusion in the minds of the landlords and tenants as regards the proper remedy to be pursued regarding their rights. I will refer to clause 54.

Clause 54

"(1) The Delhi and Ajmer Rent Control Act, 1952, in so far as it is applicable to the Union territory of Delhi, is hereby repealed.

(2) Notwithstanding such repeal, all suits and other proceedings under the said Act pending, at the commencement of this Act, before any court or other authority shall be continued and disposed of in accordance with the provisions of the said Act, as if the said Act had continued in force and this Act had not been passed."

In an Explanatory Note on the Clauses, on page 38, it has been said:

"This Bill, when enacted, would replace the earlier Act of 1952. But a large number of suits and proceedings under that Act are pending before various civil courts. It is proposed not to transfer them to Controllers but to allow the civil courts to dispose them of. The civil courts, however, should have regard to the provisions of the Bill in disposing of such proceedings."

From this clause, it is evident that those cases which are pending before the civil courts will be disposed of by those courts, and therefore, their jurisdiction, so far as pending cases are concerned is not taken away. But clause 49(2) goes contrary to this.

"If, immediately before the commencement of this Act, there is

any suit or proceeding pending in any civil court for the eviction of any tenant from any premises to which this Act applies and the construction of which has been completed after the 1st day of June, 1951, but before the 9th day of June, 1955, such suit or proceeding shall, on such commencement, abate."

I respectfully submit that under the existing Act of 1952—as I have already stated—the jurisdiction of the courts has not been taken away. Therefore, in all suits that are pending before the courts—even as far as the period that is mentioned in this sub-clause is concerned—these courts can exercise their jurisdiction; and I do not think how these suits shall abate.

Even according to the provisions of the Code of Civil Procedure, a suit abates only when the legal representatives of the deceased are not brought on record within the time prescribed by the Law of Limitation. I do not know what is the reason for the abatement of the suit here. No reason has been given.

There are two kinds of laws; substantive laws and procedural laws. Substantive law is that law which creates a right and when that right is created it is vindicated by the institution of the suit. I respectfully submit that any subsequent Act cannot take away that right. I admit that procedural law can be prospective; but all substantive laws are prospective. As far as they are prospective, they cannot have any effect on the rights already created.

This Bill, as far as I have examined it, or read it, is not a substantive law but is only a procedural law. Therefore once the suit is instituted and the right has been vindicated by the execution of the suit, I submit that that right cannot be taken away. Therefore, this sub-clause (2) of clause 49 goes contrary to clause 54.

Then, clause 1 provides:

"This Act may be called the Delhi Rent Control Act, 1958. It

extends to the areas included within the limits of the New Delhi Municipal Committee and the Delhi Cantonment Board and to such areas within the limits of the Municipal Corporation of Delhi as are specified in the First Schedule."

Then, there is also provision for extension of this Act. According to this provision, there is also scope that this law will be extended to those areas which are not included in the First Schedule. In sub-clause (3) it is said:

"It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint."

Now, I shall refer to sub-clause (3) of clause 49.

"If, in pursuance of any decree or order made by a court, any tenant has been evicted after the 16th day of August, 1958, from any premises to which this Act applies and the construction of which has been completed after the 1st day of June, 1951, but before the 9th day of June, 1955, then, notwithstanding anything contained in any other law, the Controller may, on an application made to him, in this behalf by such evicted tenant within six months from the date of eviction, direct the landlord to put the tenant in possession of the premises or to pay him such compensation as the Controller thinks fit."

I think this is not the proper remedy. Under sub-clause (3) of clause 1, the Government may promulgate this law by notification in the Official Gazette after six months or have it extended to other areas after one year. By then, the time prescribed in this clause would have already elapsed. I think this is not the proper safeguard.

[Shri Naldurgker]

If the law is promulgated after one year—because it is in the discretion of the Government—the evicted person will have no remedy at all. The proper safeguard will be that he should be given the right to apply to the Controller within six months from the enforcement of the Act. That would be the proper safeguard.

Apart from that I am afraid that this sub-clause (3) will be *ultra vires* the power of the Controller, because when a certain person is evicted in pursuance of the execution of the decree of a competent court then it is legal eviction, and it is not unreasonable or illegal eviction. When a person is evicted by a civil court in execution of a decree, I submit, that the order of the Controller for the restitution of the premises will be illegal and *ultra vires* of his powers. The Controller has no right to supersede any decree passed by any competent court. As such I request the hon. Minister to see that sub-clause (3) of clause 49 cannot confer any more rights or any more competency than the civil courts because, according to the existing Act of 1952 or some other Act to which reference has been made in clause 52, the civil courts are fully justified in exercising jurisdiction as far as the subject-matter is concerned.

These are some of the provisions which make some sort of confusion and controversial interpretation. The fundamental principle of enacting laws is that the provisions of law should be explicit, unequivocal and not amenable to two or divergent interpretations. If there is some sort of loophole, then, the public will be rather misled as far as the proper remedies and the jurisdiction of the courts are concerned. In this view I submit that the provisions of Chapter III as well as these provisions which are contrary to each other, should be fully examined.

There is another clause, clause 30. It reads:

"Where the Controller, on a written complaint or otherwise has reason to believe that the charges made for board or lodging or any other service provided in any hotel or lodging-house are excessive, he may fix a fair rate to be charged for board, lodging or other services provided in the hotel or lodging-house and in fixing such fair rate, specify separately the rate for lodging, board or other services."

I submit this is not sufficient because Delhi is the capital of this vast country. There are a number of travellers coming from remote places. When he comes to Delhi and resides in some hotel or lodging-house, it will be quite impossible for him to apply to the Controller for fixing fair rents. In such cases, it will be wise on the part of the Controller and the Government to have complete list of all these hotels and lodging-houses and to examine the position within one month from the date of the enforcement of this Act and fix a sort of a fair rent for these lodging-houses and hotels.

With these words, I want to conclude. Finally, I may say that always such laws are enacted in favour of the tenants. As far as the refugees are concerned, some hon. Members have already spoken about them. The proper remedy that the Government should undertake is to build houses in the city and save the tenants from paying exorbitant rents.

श्री० रामबीर सिंह : सभापति महोदय, दिल्ली भड़ा नियंत्रण विधेयक का मैं समर्थन करता हूँ। लेकिन इसके साथ साथ मैं चाहता हूँ कि सिलेक्ट कमेटी इसमें दो तीन चार नई चीजें दाखिल करे।

दिल्ली शहर में यह चीज किसी से छिपी नहीं है कि जब कभी भी मकान के मालिक को मौका मिला है एक किरायेदार से दूसरे किरायेदार को मकान देने का तो उस वक्त उसने पगड़ी ली, नाजायब

तौर पर उससे हजार दो हजार नकद की क्षति में क्षया लिया गया। ताकि यह पगड़ी बगैरह न ली जा सके कमेटी को यह करना चाहिये कि सिवा उस सूरत के जब कि मालिक अपनी जरूरत के लिये मकान चाहता हो, मकान खाली न कराये जा सकें, और जो भी मकान किराये के लिये खाली हों उनमें किरायेदार बिताने का हक मकान मालिक को न रहे बल्कि उस कंट्रोलर को यह हक रहे। अगर ऐसा किया जायेगा तो पगड़ी देने लेने का सवाल ही पैदा नहीं होगा। एक चीज तो सिलेक्ट कमेटी को इस बिल में यह बढ़ानी चाहिये।

इसके अलावा दूसरी चीज मैं यह चाहता हूँ। हिन्दुस्तान के आजाद होने के ११ सालों के अन्दर बहुत सी तबदीलियाँ आयी। हमने यह माना है कि हम इस देश में समाजवादी ढांचा बनाना चाहते हैं। यहां पर दो किस्म के मालिक हैं, एक मानिक है काश्त करने लायक जमीन के, और दूसरे मकानों के मालिक हैं और इसी तरह से दो किस्म के टिनेन्ट हैं। एक टिनेन्ट मकान का किरायेदार है और दूसरा टिनेन्ट काश्त करने लायक जमीन का है। मुझे काश्त करने वाली जमीन के मालिक से कोई खास हमदर्दी नहीं है, जो खुद अपनी जमीन पर काश्त नहीं करता है उसको हटाने के लिये जिनने कायदे और कानून बनाये हैं मैं उन सब की तारीफ करता हूँ। वह जरूरी थे और सही तौर पर हिन्दुस्तान की मुल्तलिक विधान सभाओं ने खेती करने वाली जमीन के ऊपर से निष्ठुरे मालिकों को हटाने के लिये कायदे और कानून बनाये। लेकिन यह मेरी समझ में नहीं आता कि हमारी समाजवादी सरकार मालिकों के बारे में दो ढंग से क्यों सोचती है। उसे मकानों के मालिकों और खेती की जमीन के मालिकों को एक ही दृष्टि से देखना चाहिये। इसी तरह से जो टिनेन्ट है, चाहे वह खेती करने वाली जमीन का टिनेन्ट हो या रहने वाले मकान

का टिनेन्ट हो, उसको भी एक ही दृष्टि से देखना चाहिये, और जो सहुलियतें गवारे को दी गयी हैं अमीन की मिल्कियत हासिल करने की, वही सहुलियतें मकानों के किरायेदारों को मिलनी चाहियें ताकि वे भी मालिक बन सकें। जब वाजपेयी जी बोल रहे थे तो उन्होंने ने यह कहा और कुछ दूसरे दोस्तों ने भी कहा, इधर से राधा रमण जी ने भी कहा और माना कि जो मकानों के मालिक हैं उन्होंने बड़े बड़े जुल्म किये हैं और यह किनो से छिपा भी नहीं है कि इन्होंने केवल किराया ही नहीं लिया बल्कि पगड़ी भी ली और कपड़े भी उतारे। तो ऐसे श्रादभियों से हम हमदर्दी क्यों रखें। हम क्यों न उनको भी उसी ताज से लें जिससे कि हम दूसरे मालिकों को तोलते हैं। बाबू ठाकुर दास जी ने कहा था कि अगर मकान मालिक सही तौर का रबैया टिनेन्ट के साथ रखे जैसा कि सरकार रखती है.....

Shri S. M. Banerjee (Kanpur): There is absolutely no quorum; there should be at least 30 or 35 Members.

Shri Braj Raj Singh: Why not 50?

16-17 hrs.

Mr. Chairman: The Bell is rung—there is now quorum.

श्री० रणबीर सिंह : सभापति महोदय, मैं निवेदन कर रहा था कि इस बिल के अन्दर मकानों के किरायेदारों को भी मालिक बनाने की भी स्कीम होनी चाहिये।

इसी तरह से तीसरी चीज है। खेती वाली जमीन मालिक के बारे में नहीं सोचा जाता कि तीन या चार साल के बाद उसके कितने लड़के होंगे और उनको कितनी जमीन खेती करने के लिये चाहिये, इसी तरह से इसमें जो अपने लिये मकान खाली कराने की व्यवस्था रखी गयी है उस पर मुझे आपत्ति है? मैं यह मानता हूँ कि

[श्री० रणबीर सिंह]

आखिर जब किसी आदमी को जरूरत नहीं रही रहने की तभी उसने किराये पर मकान दिया। हो सकता है कि बाद में उसके तीन चार बच्चे हो जायें या उसके छोटे बच्चे जवान हो जायें। तो जिस तरह से कि खेती की जमीन के मालिक की इस जरूरियात का खयाल नहीं किया जाता उसी तरह मकान मालिक का भी खयाल नहीं रखा जाना चाहिये। इसलिये उसे भी यह अधिकार नहीं होना चाहिये। हाँ, किसी खास वजूहात में इस तरह मकान खाली कराने की इजाजत दी जा सकती है। जैसे अगर कोई आदमी गवर्नमेंट सर्विस में है, या फौज में या पुलिस में है। और जब वह वापिस आता है और अपना मकान चाहता है तो बेशक उसको इस तरह की छूट दे दी जाये कि वह अपने इन्तेमाल के लिये मकान खाली करा सके, लेकिन जो बराबर दिल्ली में रहता आ रहा है अगर वह चाहे कि अपने लिये मकान खाली कराले तो उसको मैं यह सहूलियत देना जायज नहीं समझता। आप आन्दाजा लगायें तो मालूम होगा कि ११ या १२ सालों में काफी आदमी तो गुजर गये होंगे, बहुतों की मिल्कियत भी बदल गयी होगी, बहुत लोग अलग अलग रहने लगे होंगे। तो इसलिये मैं उनके लिये मकान खाली कराने का अधिकार ठीक नहीं समझता।

कई दोस्तों ने यह साबित करने की कोशिश की है कि इस तरह का कानून बनने से मकानों की समस्या हल नहीं हो सकती। मैं मानता हूँ कि सरकार ने न सिर्फ कानून ही नहीं बनाया है बल्कि सरकार ने पहली पंच साला प्लान के मातहत ३८ करोड़ रुपया इस देश के अन्दर मकानों की सादाद बढ़ाने के लिय खर्चा है और १३ लाख मकान नये बनाये हैं। इसी तरह से इस दूसरी पंच साला योजना के अन्दर १२० करोड़ रुपया मकानों पर खर्चने का

इरादा है जिससे १९ लाख मकान बनाने का इरादा है। तो यह तो नहीं है कि सिर्फ किराये के कानून के जरिये ही सरकार ने मकानों की समस्या को हल करने की कोशिश की है। लेकिन यह बात सही है कि कई दफा हम सोचते हैं कि हालत में शायद कुछ फर्क पड़ा है और हमें कुछ मालिक की भी सोचनी चाहिये और उसकी वजह से हम इस कानून में तबदीली लाना चाहते हैं। लेकिन मैं समझता हूँ कि भ्रक्सर इस तरह के कानूनों का फायदा किरायदारों के बजाय मकान मालिक ही उठा लेते हैं। बहुत थोड़े किरायदार फायदा उठा पाते हैं। मेरा तो यह दावा है कि आप आज किरायदारों की गिनती कर लें और फिर एक साल या दो साल के बाद गिनती करें तो आप काफी किरायेदारों को बेघर पायेंगे। यही हाल खेती की जमीन के बारे में भी मैं तजरबों से देखा है। बहुत सारे राज्यों के अन्दर मजारे की रक्ता के नाम पर कानून बने पर उन्हीं कानूनों के जरिये मजारों को जमीनों से निकाला गया। यह ठीक है कि सरकार ने और इस हाउस ने यह फैसला किया है कि हम इस देश में एक समाजवादी डांचा बनाना चाहते हैं, लेकिन उस फैसले को कार्य रूप में देते हुये एक आदमी और दूसरे आदमी में भेद नहीं किया जा सकता है। कई दोस्तों ने और वाजपेयी जी ने खास तौर पर गिला किया कि इस से न तो किरायेदार राखी हैं और न मालिक मकान राखी है। यह बात सही है। जिस आदमी को न्याय करना है—जिस के हाथ में न्याय की कलम है, वह जो कुछ करता है, हो सकता है कि दोनों ही पाटियाँ उस

से राजी न हों। इस मामले में किरायेदार अपने लिये ज्यादा से ज्यादा सहूलियत और रियायत चाहते हैं और मालिक-मकान चाहते हैं कि उनको ज्यादा से ज्यादा हकूक मिलें। जिसने इस का फैसला करना है और कानून बनाना है, कुदरती तौर पर उसको इस बात का स्थान रखना पड़ता है कि न तो मालिक-मकान को ज्यादा नुकसान पहुंचे और किरायेदार को भी कुछ सहूलियत पहुंच जाये। आज मकानों की बहुत कमी है, इसलिये इस बात का स्थान भी रखना है कि मालिक-मकान किसी वजह से मकान बनाना ही बन्द न कर दें। सरकार समझती है—और मैं समझता हूं कि सही तौर पर समझती है—कि अभी तक उसके पास इतनी शक्ति नहीं है कि वह हर धादमी को सरकारी मकान बना कर दे सके। जब तक उसकी यह शक्ति नहीं बढ़ जाती, उस वक्त तक नये मकान बनाने वालों के लिये थोड़ी बहुत रियायत रखनी होगी। लेकिन श्री राय रमण के विचार के मैं विरुद्ध हूं। वह चाहते हैं कि जिन दिल्ली वालों ने पगड़ी का रुपया लिया है और जो सैकड़ों मालों से किरायेदारों को निहायत बुरी तरह में झूट रहे हैं, उनके साथ कोई रियायत नहीं होनी चाहिये। इस बारे में मेरी तो साफ़ राय है कि जहां तक उन मालिकों का ताल्लुक है, एक स्कीम बनाई जानी चाहिये कि किस तरह किरायेदार मकानों के मालिक बन सकते हैं। जिस १२० करोड़ रुपये की रकम का मैंने जिक्र किया है, उसमें कच्चे की रकम भी शामिल है। सरकार उस रकम को किरायेदारों को दे, ताकि उनको धंदा कर के वे उन मकानों के मालिक बन सकें। जहां तक नये मकान बनाने वालों का ताल्लुक है, उन को चार पांच साल तक हम किराये के बारे में रियायत दे सकते हैं। उसके बाद हम फिर देख लेंगे। आखिर मैं मैं यह धर्म करना चाहता हूं कि इस सारे मामले में पगड़ी का लूपहोस नहीं होना चाहिये और मालिक-मकान को यह भ्रष्टियार नहीं

होना चाहिये कि वह जिस को चाहे मकान किराये पर दे दे। इस बिल के मुताबिक अगर कोई शख्स दोबारा डीफ़ल्ट करता है और किराया नहीं देता है, तो मकान का हक उससे छिन कर मालिक-मकान के पास पहुंच जायेगा। मालिक-मकान दो, चार, छः हजार रुपये पगड़ी ले कर किसी को मकान किराये पर उठा सकता है। इस की रोक-थाम इसी सूरत में हो सकती है कि मकान मालिक बेशक मकान खाली करा दे, अगर किरायेदार कानून की खिलाफ़वर्ती करता है लेकिन उस के बाद कौन किरायेदार धाये, इसका भ्रष्टियार मालिक-मकान को न हो कर कंट्रोलर को हो।

श्री बच्च राज सिंह : सभापति महोदय, सालों की प्रतीक्षा के बाद, किरायेदारों के प्रबल आन्दोलन, प्रदर्शन, सभाओं और भूल-हड़ताल के बाद जब यह कानून लाया गया है, तो केवल दिल्ली के किरायेदारों को ही नहीं, बल्कि तमाम हिन्दुस्तान के किरायेदारों को बहुत बड़ी निराशा हुई है। मैं तमाम हिन्दुस्तान की बात इस लिये कह रहा हूं कि इस बिल को पढ़ने के बाद लोगों को—खास तौर से उत्तर प्रदेश के लोगों को, जहां कि ऐसा कानून काफी पहले से मौजूद है, बड़ा आश्चर्य होता है कि सरकार गृह-समस्या को कैसे दूर करने चली है। सरकार कहती है कि हम किराये का कंट्रोल करेंगे, लेकिन इस पूरे बिल में कोई ऐसी व्यवस्था नहीं है कि खाली मकान को एवाट किया जाये। आप मानते हैं कि दिल्ली में मकानों की कमी है और यहां पर किराये बढ़ाये जा रहे हैं, जिन को कि कंट्रोल करना चाहिये और इसीलिये आप इस बिल का नाम रखते हैं दिल्ली रेंट कंट्रोल बिल, लेकिन उस में यह व्यवस्था नहीं है कि जो मकान खाली होंगे उन्हें उन लोगों को एवाट किया जाय, जिन को उन की जरूरत है। उत्तर प्रदेश के इस तरह के कानून में यह व्यवस्था है कि जब कोई मकान खाली होता है, तो रेंट

[श्री बजराल सिंह]

कंट्रोलर अपने यहां पहले से मौजूद प्रार्थना पत्रों पर विचार करता है और उस के अनुसार उस मकान को एलाट कर देता है। लेकिन इस बिल में यह व्यवस्था नहीं है कि जो मकान खाली हों, उन को रेंट कंट्रोलर के पास जाना चाहिये और उस के द्वारा एलाट कर दिया जाना चाहिये। इसके क्या नतीजे होंगे? बिल में क्लॉज ५ में यह व्यवस्था है कि कोई प्रीमियम या पगड़ी लेना गैर-कानूनी बात होगी। क्लॉज १३ में यह व्यवस्था की गई है कि अगर कोई व्यक्ति मकान लेने से पहले पगड़ी देता है तो कंट्रोलर को उस रकम को वापस दिलाने का अधिकार होगा। सरकार की तरफ से कहा जाता है कि क्लॉज ५ और १३ के होने से पगड़ी लेने का कोई खतरा नहीं रहेगा। लेकिन मैं संयुक्त-प्रवर समिति के माननीय सदस्यों से निवेदन करना चाहता हूँ कि वे इस बात पर गम्भीरतापूर्वक विचार करें कि क्या आज की परिस्थिति में इस व्यवस्था का पालन हो सकेगा। वे इस बात पर विचार करें कि आज मकानों की कमी है और उस की वजह से किरायेदार परेशान हैं? मकान नहीं मिलते हैं। इस स्थिति में मालिक-मकान कहता है कि मुझे दो हजार रुपये दो, तभी मकान मिल सकता है, लेकिन छत यह है कि बाद में अगर तुम ने क्लॉज १३ के अनुसार इस रकम को वापस लेने की कोशिश की, तो मैं तुम्हारे खिलाफ कोई कार्यवाही कर सकता हूँ। यह कहा जा सकता है कि कार्यवाही क्या हो सकती है, रेंट कंट्रोल बिल के मातहत कोई कार्यवाही नहीं हो सकती है, कंट्रोलर को अख्तियार है कि अगर कोई पगड़ी ले, तो वह उस को वापस दिला सकता है। मैं यह निवेदन करना चाहता हूँ कि रेंट कंट्रोल बिल में कार्यवाही का सवाल नहीं है, दूसरी कार्यवाहियाँ हो सकती हैं। मालिक-मकान, जो समर्थ हैं, जिनके पास साधन ह, किसी दूसरी जगह मुकदमा चला सकते हैं, परेशान कर सकते हैं। मैं

यह निवेदन करना चाहता हूँ कि आज जो परिस्थितियाँ हैं, जिस तरह से दिल्ली में मकानों की कमी है, उस को देखते हुये, इस कानून को ला कर आप पगड़ी को बढ़ावा देना चाहते हैं, उसको खत्म नहीं करना चाहते हैं। अगर पगड़ी को खत्म करने की इच्छा है, तो यह व्यवस्था करनी चाहिये कि जो मकान खाली हों, उनकी सूचना रेंट कंट्रोलर के पास हो और उन मकानों को मकानों के इच्छुक व्यक्तियों के प्रार्थना-पत्रों पर विचार कर के एलाट कर दिया जाये। जब तक आप इस तरह की व्यवस्था नहीं करते हैं, तब तक पगड़ी बराबर ली जायेगी, भले ही आप यह कानून पास कर दें। इसलिये संयुक्त प्रवर समिति के माननीय सदस्य इस पर गम्भीरतापूर्वक विचार करें कि क्या इस बिल में ऐसी व्यवस्था की आवश्यकता है या नहीं, जिस में खाली मकानों को एलाट किये जाने का काम रेंट कंट्रोलर के मुपुर्द किया जाय। जब तक यह काम नहीं होगा, तब तक पगड़ी बन्द नहीं हो सकेगी। जैसा कि माननीय सदस्य, श्री० रणवीर सिंह ने कहा है, आप देहांत के लिये दूसरे कानून लागू करते हैं, वहां पर आप मिश्रित धर्म-व्यवस्था की बात नहीं करते हैं। वहां आप इन्सेन्टिव और प्रोत्साहन देने की बात नहीं करते हैं। वहां पर जमींदारी प्रथा खत्म कर दी गई है—और सही तौर पर खत्म कर दी गई है। लेकिन उसके बाद आप शहरों में यह कहते हैं कि मालिक-मकानों को नये मकान बनाने के लिये प्रोत्साहन देने की जरूरत है, इसलिये हम इस कानून में किराया बढ़ाने की व्यवस्था करेंगे। अगर इतना ही रहा होता, तो मुझे ज्यादा दुख न होता। सरकार जिस तरह से मिश्रित धर्म-व्यवस्था की बात करके पूंजीपति और पैसे वाले लोगों की मदद करना चाहती है, उसको जनता धन जानने लगी है। कल विनोबा जी की जयन्ती थी। मैं प्राधा करता था कि सम्पत्ति दान, बुद्धिदान की तरह

एक नये दान—गृहदान की घोषणा की जायेगी, लेकिन मालूम नहीं पड़ता कि ऐसी बात होगी। गांवों में तो भूदान का काम हो रहा है, लेकिन शहरों में गवर्नमेंट की तरफ से ऐसा कानून लाने की कोशिश नहीं की जायेगी, न सुधारकों की तरफ से समाज में परिवर्तन करने की बात को जायेगी, जो कि समाज को सुधारना चाहते हैं, और जो समन्वयवादी व्यवस्था की बात करते हैं। मुझे दुःख है कि आप किरायेदारों की समस्या को न तो समझना चाहते हैं और न ही उसको हल करना चाहते हैं। आखिर उनकी समस्या है क्या ? आप कहते हैं कि एक प्रोरिजनल रेंट होगा, एक बेसिक रेंट होगा और इस के बाद एक स्टैंडर्ड रेंट होगा। अगर आप हिसाब लगायें तो आपको पता चलेगा कि सन् १९४४ में पुरानी दिल्ली के लिये जो आर्डिनंस लागू किया गया था जिसे बाद में कानूनी शक्ति दे दी गई थी, उस वक्त जो किराया था उसके मुकाबले में उन्हीं मकानों का किराया अब कोई १५० प्रतिशत बढ़ा दिया गया है। अगर कोई १०० रुपये देता था तो उसको बढ़ा कर १५० रुपये कर दिया गया था। अब जो बेसिक रेंट इत्यादि की आपने परिभाषायें की हैं उनके मुताबिक अगर आप देखें तो यही किराया १८२ रुपये के करीब हो जायेगा। आखिर यह सब क्यों किया जा रहा है ? क्यों इन लोगों को मुसीबत में डाला जा रहा है ?

बहुत से माननीय सदस्यों ने कहा कि कोई रिटर्न मिलनी चाहिये उस कैपिटल की जो लगा हुआ है। मैं पूछना चाहता हूँ कि किस कैपिटल के वास्ते रिटर्न चाहिये ? बड़े सौ साल पहले ये मकान बने थे और तब से आज तक इनका किराया बढ़ता चला आ रहा है और उसकी कीमत का कितना गुना ये लोग खा चुके हैं। ऐसी हालत में आप यह कहें कि बापसी मिलनी चाहिये, एवम् मिलना चाहिये, रिटर्न मिलनी चाहिये, तो साफ़्जुब हुये बिना नहीं रहता है।

यहां पर मकानों को बनाने में बढ़ावा देने की तथा प्रोत्साहन देने की बात भी की जाती है। मेरी समझ में नहीं आता है कि यह किस तरह की मांग है ? मैं चाहता हूँ कि सरकार की तरफ से झांकड़े इस सम्बन्ध में इकट्ठे किये जायें कि क्या मकानों के बारे में भी एक मानोपली की टेबेंसी तो नहीं दृष्टिगोचर हो रही है। मैं चाहता हूँ कि प्रवर समिति भी इस तरह के झांकड़े मांगे। यहां पर समाचार-पत्र व्यवसाय में एक मानोपली की व्यवस्था चल रही है, एकक प्राधिपत्य की बात चल रही है। इसी तरह से क्या मकानों के बारे में भी कुछ लोग प्राधिपत्य स्थापित करने की बात तो नहीं कर रहे हैं तथा इसकी चेष्टा तो नहीं कर रहे हैं। सरकार की तरफ से एक फर्म को दिल्ली में ५६ लाख रुपये कर्ज के तौर पर दिया गया था और वह इसलिये दिया गया कि वह एक बिल्डिंग बना ले, एक प्रखबार को चलाने के लिये तथा उस बिल्डिंग में अपना स्टाफ रख सके। मुझे खबर मिली है कि केवल दो मंजिलों में ही प्रखबार का काम हो रहा है और बाकी के सारे पोर्शन भाठ लाख सालाना रुपये पर किराये पर उठा दिये गये हैं। सात साल के अन्दर यह जो ५६ लाख रुपये का कर्ज है वह बसूल हो जायेगा और गवर्नमेंट की तरफ से जो कर्जा दिया हुआ है वह वापिस हो जायेगा और उसके बाद वह बिल्डिंग मुफ्त में उसके पास रह जायेगी। क्या आप इसी तरह के मकान बनाने वालों को प्रोत्साहित करना चाहते हैं ? जिन्हें मिश्रित अर्थ-व्यवस्था की बात आप करते हैं, जिस तरह से आप मकान मालिकों को प्रोत्साहन देना चाहते हैं, उससे किरायेदारों का कोई भला नहीं होने वाला है, उनको कोई संरक्षण नहीं मिलने वाला है। अगर आप किरायेदारों को संरक्षण नहीं देंगे तो कौन देगा ? अगर आप किरायेदारों को संरक्षण प्रदान करना चाहते हैं, अगर आप उन लोगों के विषय में सोचना चाहते हैं जो हजारों और लाखों की तादाद में हैं, जो सड़कों पर पड़े रहते हैं, जो

[श्री बजरंग सिंह]

पेवमेंट्स पर पड़े रहते हैं—उनकी खातिर कुछ करना चाहते हैं तो विश्वास रखिये कि उनका भला मकान मालिकों को प्रोत्साहन देकर मकान मालिकों से आप नहीं करवा सकते हैं। मकान मालिक कभी कोई ऐसा काम नहीं करेंगे जिससे उन लोगों का भला हो। आपको ही उन मुसीबतज्जदा लोगों के लिये सोचना पड़ेगा। आपको अपना हृदय परिवर्तन करना होगा। आपको सोचना होगा कि क्या आप उनके लिये मकान बना सकते हैं या नहीं। आपको अपनी नीति में मौलिक परिवर्तन करना होगा। जो जमीन विकसित की जा रही है, उसका मकान मालिकों को देने से काम नहीं चलेगा या एक-एक आदमी को ५६-५६ लाख रुपया कर्ज के रूप में देने से काम नहीं चलेगा। इस तरह से दिल्ली में मकानों की समस्या हल नहीं हो सकती है। इसको हल करने के लिये आपको दूसरे तरीके काम में लाने होंगे। छोटे छोटे मकान बनाने के लिये आपको कर्ज देने पड़ेंगे। जिस तरह से लोग अपने पास जमीन रखना चाहते हैं उसी तरह से लोग अपने लिये मकान भी बनवाना चाहते हैं। अपने मकान से सभी का प्यार होता है, सभी चाहते हैं कि उनका अपना मकान हो। इसके लिये वे अपना सर्वस्व न्यौछावर करने के लिये तैयार हैं। आपको सोचना होगा कि आप उनको थोड़ा बहुत रुपया मकान बनाने के लिये दे सकते हैं या नहीं। आपको अपनी नीति में परिवर्तन करना चाहिये। तो इनकम हार्जिसिंग की जो आपकी स्कीम है, छोटे पैमाने पर लोगों को मदद पहुंचाने की जो बात है, उसको आपको अच्छी तरह से लागू करना होगा और बड़े पैमाने पर लोगों को मदद देनी होगी और अगर आपने ऐसा किया तो यह जो मकानों की कमी की समस्या है, यह हल हो सकती है अन्यथा नहीं।

जो कानून पेश किया गया है वह किसी हालत में भी किरायेदारों का कानून नहीं कहा

जा सकता है। इसको साफ तौर से "लैंडलाइंड्स बिल" कहा जा सकता है। यह किरायेदारों के साथ मखौल करना है, उनकी हंसी उड़ाना है। आप किरायों को बढ़ाने की बात करते हैं, घटाने की बात कहीं नहीं करते हैं। वह कहा गया है कि रेंट कंट्रोलर को यह अधिकार होगा कि जहां पर पहले से जो रेंट चला आ रहा है उसको वह बढ़ा सके। लेकिन यह अधिकार उसको कहीं पर भी नहीं दिया गया है कि अगर वह देखे कि कहीं पर एक्सेसिव रेंट है, तो उसको कम कर सके। मुझे प्रसन्नता होती अगर इस प्रकार की भी कोई व्यवस्था कर दी गई होती कि आप किरायेदारों के वास्ते कुछ करना चाहते हैं। पूरे बिल में पहले से चले आ रहे किरायों को कम करने की बात कहीं पर भी नहीं है। जब ऐसी बात है तो फिर इस को रेंट कंट्रोल बिल का नाम क्यों दिया गया है, कोई दूसरा ही नाम दिया जाना चाहिये या।

काल माननीय मंत्री महोदय ने कहा कि क्योंकि मकान मालिकों की तरफ से और किरायेदारों की तरफ से भी इसका विरोध हुआ है, इसलिए सरकार समझती है कि वह सही रास्ते पर है। अगर आप समझते हैं कि दोनों तरफ से चूक इसकी आलोचना हुई है, इस वास्ते जो रास्ता आपने भ्रष्टाचार किया है वह सही है या जो आपकी नीति रही है वह सही रही है, तो मैं समझता हूँ आप धोखे में हैं। जब आप यह सोचते हैं कि भ्रष्टाचारों में यह छप गया कि लैंडलाइंड्स भी नाराज हैं, उन्हें भी सन्तोष नहीं है, तो आप याद रखिये कि प्रेस पर भी आधिपत्य स्थापित करने की कुछ व्यक्तियों द्वारा कोशिश हो रही है और साथ ही साथ मकानों पर भी आधिपत्य स्थापित करने की चेष्टा हो रही है। गरीब आदमी जो है, जो पीड़ित है, जो शोषित है उसकी कोई परवा नहीं कर रहा है। अगर किसी बात की भ्रष्टाचार में चर्चा हो जाती है कि दोनों ही पक्ष इसकी आलोचना कर रहे हैं और दोनों तरफ से ही इसका विरोध हो

रहा है और अगर इससे सरकार यह समझती है कि उसको सर्टिफिकेट मिल गया है, प्रमाण पत्र मिल गया है कि वह सही नीति पर चल रही है, तो वह गलती पर है। यह कानून किसी कदम भी किरायेदारों के हित में नहीं है। इस बिल को यहां लाकर ऐसा मालूम होता है कि आप मकान मालिकों के चंगुल में फंस गये हैं। मैं यह नहीं कहता कि आप जान बूझ कर फंस रहे हैं। इसमें आपकी नीयत पर शक करने की बात नहीं है। लेकिन जो परिणाम निकलता है वह बताता है कि आप जान बूझ कर भी फंस सकते हैं। लेकिन यह न कह कर मैं केवल यह कहूंगा यह उनके हक में जाता है। इस वास्ते मैं चाहता हूँ कि आप गम्भीरतापूर्वक विचार करें कि दिल्ली में जो तीन लाख व्यक्ति किराये के मकानों में रहते हैं, जिन के पास अपने मकान नहीं हैं तथा जिनको आशा नहीं है कि अपने मकान बना सकेंगे निकट भविष्य में, उनके हितों की रक्षा करने के लिये क्या कुछ किया जाना चाहिये, उनको किस प्रकार की संरक्षण दिये जाने चाहिये। मैं नहीं कहता कि आप उनको बहुत ज्यादा संरक्षण प्रदान कर दें। लेकिन इतना तो आप अवश्य करें कि जो जीवन निर्वाह का खर्चा बढ़ता जा रहा है, उसको देखते हुए आप मकान मालिकों को ही राहत न पहुंचाये, उनकी ही केवल फिक्र न करें और केवल इतना ही न सोचें कि जमीन की कीमत बढ़ गई है, मेट्रीरियल की कीमत बढ़ गई है, इसलिए किराये भी बढ़ जाने चाहिये, बल्कि किरायेदारों के हितों की भी चिन्ता करें। अगर आप केवल मकान मालिकों की ही चिन्ता करते रहे तो यह मेरे विचार में सही नीति नहीं होगी। जिस तरह से पंजाब से आवाज आ रही है कि वहाँ पर लोग कोशिश करने लगे हैं कि जिस तरह से जमीन का राष्ट्रीयकरण किया गया है, जिस तरह से जमींदारी को खत्म किया गया है, उसी तरह से मकान वालों के साथ भी ऐसी बात होने वाली है, इससे आप यह समझें कि इस्टेब्लिटी या अस्थिरता

घाती है और मकान मालिकों को प्रोत्साहन नहीं मिलता है, इस वास्ते आप उनको प्रोत्साहन देना चाहते हैं और बार बार देना चाहते हैं, मैं समझता हूँ कि इस में अस्थिरता है वह दूर नहीं हो सकती है। यह एक राजनीतिक सवाल है। मकान मालिक यह जानते हैं कि यह सरकार हमेशा रहने वाली नहीं है, हो सकता है कि सन् १९६२ में होने वाले चुनावों में ही इसको बदल दिया जाए तथा दूसरी जो पार्टी सत्ता में हो, वह राष्ट्रीयकरण कर सकती है। ऐसी सूरत में प्रोत्साहन की बात करके आप किसी का भला नहीं करते हैं, न अपना और न ही किरायेदारों का। इस बात को सोचा जाना चाहिए कि आखिर जिन लोगों के पास मकान हैं और एक एक नहीं मी मी मकान हैं, मकड़ों मकान है, जिन का मकानों का ही धवा है, किस आधार पर उनके पास ये सारे मकान छोड़े जायें, क्यों वे इन तमाम मकानों के मालिक बने रहें। क्यों न उनका भी समाजिकरण हो।

आज नए नए लोगों को लाभ पहुंच रहा रहा है। कालोनाइजर्स की बात भी यहां की जाती है और कहा जाता है कि वे लोग भी फायदा उठा रहे हैं और नाजायज तौर से मुनाफा कमा रहे हैं। मैं कहूंगा कि उस तरफ भी आपका ध्यान जाए। मैं चाहता हूँ कि जवायंट कमेटी इस पर विचार करे कि क्या दिल्ली में कोई इस तरह की बात तो नहीं हो रही है कि कुछ लोग मकानों पर भी आधिपत्य जमाने की कोशिश कर रहे हैं। मैं चाहता हूँ कि इस बिल में कोई इस तरह की व्यवस्था कर दी जाए जिससे कि इस आधिपत्य को तोड़ा जा सके।

जहां तक स्टैंडर्ड रेंट तय करने की बात है, इसमें आपने एक सीमा निश्चित कर दी है कि उस वक्त के अन्दर यह तय किया जा सकता है, उसके बाद नहीं। अच्छा यह होगा कि कोई सीमा ही निश्चित न की जाए और

[श्री बजराल सिंह]

जब भी किरायेदार स्टैंडर्ड रेंट फिक्स करवाना चाहे, उसको छूट होनी चाहिये कि वह करवा सके और इस बिहाफ में एप्लीकेशन दे सके। आपने जो एक साल की सीमा निर्धारित की है यह इतनी कम अवधि है कि इतने भर्से तक तो मालिक मकान किरायेदार को भुलावे में ही रख सकता है और समय गुजर जाने के बाद दरखास्त नहीं दी जा सकती है।

अब बेदखली का सवाल पैदा होता है। मैं समझता हूँ कि कानून को बेदखलियाँ रोकने के मामले में कुछ और दूर तक जाना चाहिये था। व्यक्तिगत रूप से ही अगर मकान चाहिये हो तभी बेदखल किया जाना चाहिये। अगर कोई मालिक मकान दिल्ली में ही रहता है तो उस सूरत में साफ जाहिर है कि व्यक्तिगत रूप से उसके मकान अपने लिये चाहने की बात नहीं उठ सकती है। और यह भी नहीं हो सकता कि पूरा मकान वह खाली कराये। अगर कहीं ऐसी बात आती है तो उसे जगह देने की बात कम से कम की जानी चाहिये।

जहां तक बिजनेस का सवाल आता है, उस के सिलसिले में पार्टनरशिप के बारे में कहा गया है कि जब तक मकान मालिक की रजामन्दी न होगी, तब तक कोई पार्टनर नहीं बन सकेगा। यह इस तरह की चीज है जिसमें आप बिजनेस का प्रोत्साहन खो देते हैं। एक तरफ आप मकान मालिक को प्रोत्साहन देने की बात सोचते हैं लेकिन दूसरी तरफ आप व्यापार का प्रोत्साहन खो देने की बात करते हैं। हो सकता है कि कल उसका चल रहा बिजनेस फेल हो जाय और अचानक न चल रहा हो, इस तरह उसे प्रोत्साहित किया जाय ताकि वह कोई हिस्सेदार प्राप्त करे और उसकी हिस्सेदारी में अपने बिजनेस को चला सके। लेकिन आपने इसमें यह व्यवस्था कर दी कि जब तक लैंडलाड इसमें अपनी

रजामन्दी नहीं देता है तब तक कोई भी पार्टनरशिप नहीं कर सकेगा। यह इस तरह की चीज है जिसका औचित्य सिद्ध नहीं किया जा सकता। इस में लैंडलाड यह चाहेगा कि अगर कोई बिजनेसमैन किसी को पार्टनर रखना चाहता है तो जितने रुपये वह पाना चाहता है, उसका कुछ हिस्सा उसे भी दे। एक तरफ आप पगड़ी खत्म करने की बात करते हैं, दूसरी तरफ पगड़ी लेने की बात को प्रोत्साहन दे रहे हैं इसलिये मैं कहूंगा कि पार्टनरशिप के सिलसिले में कभी भी कंसेंट लेने की बात नहीं होनी चाहिये। यह नार्मल प्रोसीजर है कि बिजनेस हमेशा पार्टनरशिप से चला करता है। इस के लिये रजामन्दी लेने की बात इस में नहीं रखनी चाहिये।

16:43 hrs.

[Mr. Speaker in the Chair]

अन्त में मैं निवेदन करूंगा कि यह बिल जवायेंट कमेटी के सामने जा रहा है। वह इस पर गम्भीरतापूर्वक विचार करे कि ऐलाटमेंट के विषय में मैंने जो विचार व्यक्त किये हैं उन को पूरा किया जा सकेगा या नहीं।

Mr. Speaker: Shri D. C. Sharma. I want to call one more hon. Member after that.

Shri D. C. Sharma (Gurdaspur): Mr. Speaker, I think the ostensible purpose of this Bill is to regulate the relations between the landlord and the tenant, but I must submit very respectfully that an attempt has been made to regulate them only in terms of judicial procedure and judicial settlement and not in any other way. For instance, I find that we have tried to regulate the relations between factory-owners and workers. We have tried to regulate the relations between teachers and employers. We have tried to do this in so many ways and as so many diffe-

rent levels of society. I think legal process is the last resort for regulating this relationship. We have attempted conciliation, arbitration, mediation, etc. We have had recourse to all these processes to regulate these relations. So, I do not see any reason why we should jump over all those very useful steps to regulate the relations and go straight to the judicial process. I think this is something which is not worthy of a welfare State.

We have tried to regulate the relations between the tenants and landlords. We have done that by legislation and also by other means. I would say that before we appoint the controllers, before we undertake all their paraphernalia of legal procedure, we should set up in every ward of Delhi committees representatives of the people at the Corporation level or at the Lok Sabha level and other respectable persons, so that they should be able to adjudicate on the disputes that arise between landlords and tenants. I think this should be attempted and unless we attempt that, we shall not be able to overcome all the difficulties that exist in the tenant-landlord relationship today.

It was said by an hon. Member that it is an economic thing. I find that there is too much of economics in this Bill and too little of social welfare. I do not think this Bill should be thought to be an economic Bill; it is a social measure; it is a measure of social welfare and regulation of social relationships. I do not think we should try to import too much of economics into it. Of course, economics must be there, but I find that all kinds of economics have been put into it. We have controlled the dividends which can be paid to the people; we have tried to put a limit on that. But here we have given a free hand to the landlord. This free India is going to be made the paradise of the landlords. Delhi is to be made the Heaven of the landlords. We started with the original rent and from that, we have gone on to basic rent and now we are going on to standard rent. What is all this

cumbersome business and elaboration of categories? One statesman said, "we will make England safe for democracy". I think by this Bill we are making Delhi safe for landlords.

I think all these different categories of rent should be scrapped and there should be only one kind of rent. That should be called the fair rent and the determination of that rent should be made by a board which should be sitting perpetually and which should allow the house-owners a little margin over their investments. A tenant who cultivates the land for some years becomes an agricultural tenant and after sometime he becomes the owner of the land. All these things are there; but the landlord can hold his property in perpetuity. He can hold his property till eternity; nobody can dislodge him. I think this is not social justice. This is not the kind of justice that we want for free India. We want to give the landlord his due, but we do not want that the landlord should get much more than his due and that he should enjoy what is called 'un-earned income'. There should be a limit to the time for which a man can enjoy this kind of income. I know that Mr. Lloyed George fought one of the biggest battles of his life when he came out against this unearned income in business and land, and that was a beginning in social legislation in England if I remember it aright. That is why while we are trying to curb these persons who are enjoying unearned income in other fields, here we are trying to give a fillip to that, so that they can have unearned income as long as they can and as often as they can. Who knows? After a year or so, the Home Minister may come again to this House and say: the building cost index was formerly 300—that is what he said in the opening speech—now the index has gone to 400 or 450, therefore, there is need for revision of these rents. Now they call it "standard rent". I do not know what they will call it in future. They may perhaps call it "classic rent" or some other rent. He will come up for revision again and again. Therefore, I say

[Shri D. C. Sharma]

that this tendency, whether it is in a landlord or factory owner or some other kind of enterprising person following some other economic pursuits should be curbed and put a check upon. I am saying this in the interests of the landlords.

So many persons have told us what these landlords are. I think India has given one word to the whole of this world, not only to India but to the whole world, and that word is *Pagri*. I think that is an odious, reprehensible and despicable word which has come into the Indian vocabulary. I am ashamed of it. Every decent citizen of India must be ashamed of this word. Why should he be ashamed of it? Because, this word represents an aspect of our character, which is not very welcome to all of us. This kind of *Pagri* business has been going on in India all these years and it has brought a bad name to our country. Now, if you are going to have all the paraphernalia, you will, in a way be supporting *Pagri* in the sense that you will indirectly be abetting it. Therefore, I would say that something should be done to safeguard the interests of these landlords also. That you can do only by giving him some kind of dividend which is legitimate for what he has done. Otherwise, this *Pagri* business will go on. Because, the landlords will not be happy when the provisions of this Bill come into force. I am saying all this not so much to protect the tenants as to protect the landlords themselves. After all, these things cannot go on indefinitely.

Another point that I want to raise is this. We have got in this Bill a whole chapter which deals with eviction of tenants. Eviction, as I said on another occasion, is a night-marish thing. Even if you regulate eviction, it does not cease to be harsh; eviction continues to be as unsocial as ever. Here in clause (14) we have given the landlord a long rope. I can assure you that he won't hang himself by means of that long rope. By means of this long rope he will have much

field to roam about in. We have given him many options. How many options are there? I counted them in the morning. They are six or seven or eight. There are a number of grounds for which he can evict a tenant. Not only that. There are sub-clauses to this clause. Now, I tell you if I were a tenant and I hope to be a tenant one of these days because after all the Estate Officer is not going to look after me all my life, when I look at these clauses and sub-clauses by means of which I will be evicted, I will not feel very happy. Think of all those persons, illiterate persons who are tenants, those persons whose income level is very low, those persons who live on the mere subsistence level and those persons whose social status in our eyes is not very high. Just think of that army of tenants. Think of the lakhs of those who are tenants at this time. Now, what will they do? I think one provision or the other will be taken hold of by the landlord in order to evict the tenant. I would therefore, say that this clause 14, I think, is the most dangerous clause. This is a clause which is fraught with very great danger and great mischief. I would, therefore, submit very humbly that this clause should be reworded.

I again say that the process of eviction should not be made a judicial process. Let us make it a social process. I should say we should have recourse to democratic processes also to solve these difficulties and these problems. We are depending too much upon our judicial system. We are depending too much upon our law courts. We must think of those social things also. Therefore, I submit that so far as eviction of tenants is concerned, there should be a committee with representatives of the people and that committee should sit first of all in judgment upon any tenant who is going to be evicted. That committee should give its verdict and then if it is not found workable I think it should go to a law court. After all

the poor tenants whose income is very low cannot find money to fight all these cases. By this clause you are over-weighing the Bill in favour of those persons who are landlords and who are moneyed. You are trying to take away the legitimate rights of those persons who do not have money and who are at the mercy of those whom you may call by any name you like—capitalists or landlords or anything else.

Then I would submit that we have become very fond of having new functionaries and I think this is a new type of functionary that we are going to have who will be called the Controller. I think attached to these Controllers there should be, what you may call, councillors. Because I am looking at it from the point of view of a social measure, there should be councillors as we have councillors in other ways and those councillors should serve in an honorary capacity. We should try to put down as much of litigation as possible. Law does not solve all problems and courts are not the panacea for all our ills. If they were like that, I think, we would have been very happy all these days. But I would say that though they serve a useful purpose, in order to increase the social value of this Bill, we should try to have some councillors attached to these Controllers so that the legal arrangement is brought down as much as possible.

Mr. Speaker: The hon. Member's time is up.

Shri D. C. Sharma: One minute more.

Now I come to hotels and lodging houses. I am very fond of hotels. After the partition, whenever I go to a place I live in a hotel. That is my good fortune. I live in a hotel because I do not find many friends anywhere who can accommodate me, especially in the Punjab because they are all in difficulties.

I would request the hon. Minister to look at clause 33(d), which says:

"that the lodger has done any act which is inconsistent with the purpose for which the accommodation was given to him or which is likely to affect adversely or substantially the owner's interest therein;"

Sweeping powers have been given to the manager. I think this clause should be made more precise. I would say that this clause is something under which anyone can be evicted from a hotel. I would, therefore, request the hon. Minister to make it a little less sweeping and more precise.

I do not know what purpose this Bill will serve. I would ask the hon. Minister to make this more a social measure which protects the houseless people than a measure which protects those who own houses.

17 hrs.

Mr. Speaker: Shri Halder. The House will kindly sit for fifteen minutes more. After he closes, I will call upon the hon. Minister and he will reply tomorrow.

Shri Halder (Diamond Harbour—Reserved—Sch. Castes): Mr. Speaker, I am not going into the intricacies of this Bill. I wish to raise some simple points which strike me and which will also strike the common people.

Only the day before yesterday, the Government passed a Bill, the Public Premises (Eviction of Unauthorised Occupants) Bill, 1958. Today another Bill of this kind has come up. I think there is some contrast between these two. Under the former Bill, the Government had taken the power to evict those common people and the refugees who have occupied Government premises. By this Bill, the Government is also helping the landlords who are practically the backbone of this Government. This is the similarity between these two Bills.

[Shri Haider]

In several provinces, land reform Bills have been passed and by those Bills, tenants are evicted from their lands. The landlords have been given some compensation money. They are now coming to the towns from the villages. They once exploited the common villagers. With this money, the landlords are again going to be landlord of the town who will exploit the common people who have taken shelter in the houses which are built for the poor peasants and workers and common middle class people.

As regards eviction, I would say that by the introduction of this Bill, the Government will only help the landlords. Though the Home Minister has mentioned in the Statement of Objects and Reasons of this Bill that it is only to give the tenants a larger measure of protection against eviction, I think the Bill is quite contrary to that. This will only encourage the landlords to evict the tenants in large numbers and they will again be a burden on our country. Landlords will be allowed to increase the rent with the help of this Bill. Several Hon. Members have mentioned about *pagri* and *salami* which is a kind of illegal gratification received from the tenants and nothing else. I know in Old Delhi and even in Karol Bagh there are many landlords who take this from the tenants because of shortage of houses, and the tenants are compelled to give this. And then these landlords evict the tenants by means which are contrary to law.

Now I may mention a few points about the poor sections of the people who are living in these houses who will be a prey to these landlords. Sometimes a house where one family is living is partitioned, and the landlord presses the tenant for higher rent by this tactics. There are several other kinds of exploitation resorted to by the landlords and in this way they exploit the poor people. And now Government is also coming forward to help them in this affair.

Regarding the control of eviction of tenants I wish to mention a few things. In clause 14 there is a provision that the tenant can be evicted for this reason:

"that the premises have become unsafe or unfit for human habitation and are required *bona fide* by the landlord for carrying out repairs which cannot be carried out without the premises being vacated;"

By this process the landlords will be given ample power to evict the tenants. It has also been provided that the landlord can evict the tenant when he has no "suitable" accommodation for himself to live in. I know from incidents in Calcutta that big zamindars, with the help of a clause like this, have evicted several tenants, though in fact they had palatial buildings to live in.

I wish to point out another thing here from my experience of the kisan movement. After the coming into force of land reforms, zamindars have taken shelter under the intricacies of these laws. They sometimes hand over their lands to their sons or other relatives by *benami*. These sons or relatives, though they belong to the same family, become landlords and exploit the peasants.

Similarly, the landlord will easily take shelter under this law and hand over the building to his son or daughter and exploit the situation by charging excessive rents. It is mentioned here that if the tenant sublets this house, the landlord will be permitted to collect not more than 25 per cent. of the rent. That is, indirectly with the help of the son or daughter his own house will be re-let and he will realise burdensome rent. This is another form of exploitation.

There are so many clauses which are very burdensome and which, I think, are also illegal. For that reason, I request the Minister that

these reactionary clauses should be changed so as to help only the tenants who are now homeless and are loitering here and there. If Government do not come forward to their help, there is none to help them, and just like the food problem, there will be a house problem which is already acute in several towns and most of the big cities like Calcutta, Bombay, Delhi and so on. I hope those who have criticised this Bill will come forward at the time of voting in the Joint Committee to amend the Bill for the benefit of the homeless. Otherwise, merely criticising the Bill and not showing that criticism during the voting time will be nothing but a mockery of democracy.

I do not at all support this Bill. I think this Bill should be re-written for the benefit of the common people.

Mr. Speaker: The hon. Minister.

Shri Mulchand Dube (Farrukhabad): Seven hours were allotted for this Bill.

Mr. Speaker: I said earlier that the Members would finish speaking today and I would call upon the Minister tomorrow. Is the House willing to sit sometime more? I am finding it thin. Does the hon. Member want to speak?

Shri Mulchand Dube: Yes.

Mr. Speaker: I never got his name earlier. Otherwise, I would have given him an opportunity. Anyway, he will speak tomorrow and thereafter the Minister will reply.

17.15 hrs.

The Lok Sabha then adjourned till Eleven of the clock on Friday, the 12th September, 1958.

Thursday, 11th September, 1958

ORAL ANSWERS TO
QUESTIONS

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1153	Coal Export	5874-77
1154	Training of Tripura Officers	5877-78
1156	Central Food Technological Research Institute, Mysore	5878-79
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1158	Fish	5880-81
1159	Boundary disputes	5881-82
1162	Training in Cottage Industries in Orissa	5882-83
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1168	Floods in Jamuna	5888-89
1169	Re-organisation of Delhi Administration	5890-91
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QUESTIONS—

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1139	Children's Museum and Bal Bhawan 5895-96
1146	Import of iron and steel 5896
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QUESTIONS—*contd.*

S. Q. No.	Subject	COLUMNS
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1155	University Teachers	5897-99
1160	Copying Agency, Delhi	5899
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1167	Compulsory Physical Education	5901-02
1170	Conference of Chief Justices	5902
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1175	Change in the course of Jamuna River	5904
1176	Mr. J. L. Taylor	5904-05
1177	Himalaya Bank Ltd.	5905
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1179	Conference of Commonwealth Army Chiefs	5906
1180	Hostels	5906-07
1181	Bokaro Steel Plant	5907-08
1182	M.E.S. Construction Committee	5908
1184	Bharat Sevak Samaj Camps	5909-10
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1832	Self-sufficiency in Arms	5909
1833	Test-relief work in Tripura	5910
1834	Regional languages in Bombay	5910-11
1835	Social Service Camps in Bombay	5911-12
1836	Welfare Extension Projects in Bombay	5911
1837	Successions to Gaddis of former Rulers	5911-13
1838	Central Social Welfare Board Grants to Andhra	5913
1839	Light Houses for Laccadives	5913-14
1840	Laccadive Islands	5914
1841	University Grants Commission	5914-15
1842	Land for Scheduled Castes and Scheduled Tribes	5915

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U. S. Q. No.	Subject	COLUMNS
1843	Health problems in tribal areas	5915-16
1844	Mixed Colonies	5916
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1848	Scheduled Caste scholars from Rajasthan	5919
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1864	Juvenile offenders	5926-27
1865	Stupas at Sanchi	5927
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1867	Pakistani nationals	5928
1868	Post Matric Scholarships	5928-29
1869	Welfare Extension Projects in Punjab and Himachal Pradesh	5929
1870	Violation of Foreign Exchange Regulation Act	5929
1871	Indian Engineers' Association in England	5929-30
1872	Convention of Indian Ex-service Men's Association	5931

WRITTEN ANSWERS TO QUESTIONS—contd.

U. S. Q. No.	Subject	COLUMNS
1873	Training of oil drillers	5931-32
1874	Scheduled Castes and Scheduled Tribes and other Backward Classes	5932-33
1875	Engineers for Durgapur Steel Plant	5933
1876	Steel allotments	5933-34
1877	Development of Berhampore and Ambala Cantonments	5934
1878	Loans to States for setting up Industrial Financial Corporations	5934
1879	Lignite deposits in Punjab	5934-35
1880	Arms Act	5935
1881	Geologists working in Punjab	5935-35
1882	Excavations at Susupalgah, Orissa	5937
1883	Insurance Agents	5937
1884	Mahadeva temple near Rudra-Mahalaya	5937-38
1885	Quarters for Harness and Saddlery Factory Workers, Kanpur	5938
1886	Bharat Sewak Samaj	5938
1887	Discipline in Students	5939
1888	Delegations to foreign countries	5939
1889	Conference of World Assembly of Youth	5940
1890	Elementary education during third Plan Period	5940
1891	Central litigation	5940-41
1892	Cantonment at Chandigarh	5941
1893	Exploitation of coal resources	5941-43
1894	Coal supply to States	5943-44
1895	Naval Armament Depot, Alwaye	5944
1896	Copper in Rajasthan	5944-45
1897	Committees and Commissions	5945
1898	Tribal Welfare	5945-46
1899	Aid to Punjab	5946-47
1900	I.A.F. Station, Gummidipundi	5947-48
1901	I.A.S. (Special Recruitment).	5948
1902	Medicinal and Toilet Preparations Act, 1955	5947-49

WRITTEN ANSWERS TO QUESTIONS—contd.

COLUMNS

U. S. Q. Subject No.	COLUMNS
1903 Loans to Himachal Pradesh traders . . .	5949
1905 Scheduled Castes, Scheduled Tribes and other Backward Classes in Punjab . . .	5950
1906 Vigyan Mandirs in Himachal Pradesh . . .	5950
1907 Prohibition . . .	5950-51
1908 Malaria Control Programme in Military Camps . . .	5951
1909 Land Record Department, Himachal Pradesh . . .	5951-52
1910 Commissioner for Scheduled Castes and Scheduled Tribes . . .	5952
1911 Punjab tribal Areas . . .	5952
1912 Intelligence Bureau Department . . .	5953
1913 Government Servants and Politics . . .	5953-54
1915 I.A.F. personnel in France . . .	5954
1916 Pearl Mosque in Agra Fort . . .	5954
1917 Ban on Import of Books . . .	5954-56
1918 Ministry of Home Affairs . . .	5956

PAPERS LAID ON THE TABLE 5957-58

The following papers were laid on the Table:—

- (1) A copy of the Union Public Service Commission (Consultation) Regulations, 1958, under Article 320(5) of the Constitution
- (2) A copy of each of the following Rules, under subsection (2) of section 479 of the Delhi Municipal Corporation Act, 1957:—
 - (i) Delhi Municipal Corporation (Determination of final issue rate of water) Rules, 1958 published in Delhi Gazette Notification dated the 22nd August, 1958

- (ii) Delhi Municipal Corporation (Determination of cost of disposal of sewage) Rules, 1958 published in Delhi Gazette Notification No. 40/5/58(II)- Delhi dated the 22nd August, 1958
- (3) A copy of Notification No. G.S.R. 744 dated the 30th August, 1958, under Section 38 of the Central Excises and Salt Act, 1944, making certain further amendments to the Central Excise Rules, 1944 .

MESSAGES FROM RAJYA SABHA

5958-59

Secretary reported the following messages from Rajya Sabha:—

- (i) That Rajya Sabha had no recommendations to make to Lok Sabha in regard to the Central Sales Tax (Second Amendment) Bill, 1958, passed by the Lok Sabha on the 28th August, 1958.
- (ii) That at its sitting held on the 8th September, 1958 Rajya Sabha had agreed without any amendment to the Sugar Export Promotion Bill, 1958, passed by Lok Sabha on the 26th August, 1958

PETITION PRESENTED

5959

Shri Arjun Singh Bhaduria presented a petition signed by a petitioner relating to the Liability of the State in Tort

STATEMENT BY MINISTER

5959-61

The Parliamentary Secretary to the Minister of Defence (Shri Fatehsingh Rao Gaekwad) made a statement regarding the explosion of ammunition packages at the Bharali Railway Station in the Pathankot Military area on the 24th February, 1958 and also laid the same on the Table

REPORT OF BUSINESS ADVISORY COMMITTEE ADOPTED

5962-63

Twenty-ninth Report was adopted

COLUMNS

COLUMNS

MOTION TO REFER THE
BILL TO JOINT COMMIT-
TEE UNDER CONSIDERA-
TION

5963—6090

Further discussion on the
motions to refer the Delhi
Rent Control Bill, 1958 to
a Joint Committee contin-
ued. The discussion was
not concluded

AGENDA FOR FRIDAY, 12TH
SEPTEMBER, 1958—

Further discussion on the
motion to refer the Delhi
Rent Control Bill, 1958 to
a Joint Committee and dis-
cussion on Private Members
Resolutions