

SHRI CHATURANAN MISHRA : Mr. Speaker, Sir, this Directorate will not be shifted from Delhi as other parts of the Country has also to be looked after. But opening of a regional Institute in Bihar is under consideration. As far the NCDC is concerned, I will feel happy if Bihar works in Co-operative sector. The Bihar Govt. may forward it as ultimately they have to support it. No discrimination is being made against Bihar, instead it is ignoring itself then what can we do ?

[English]

SHRI P.M. SAYEED : Sir, I am encouraged to ask a supplementary though it is not strictly within the framework of the question. The hon. Minister has gone beyond the scope of the question.

You have visited my constituency. You know that papaya of the best quality in the country is grown in Lakshadweep and that too in plenty. He is a man from the grassroot level. He has also agreed with me that he would visit Lakshadweep. May I know from the hon. Minister whether the Central Government will come forward with sufficient financial help in order to set up a food processing industry for papaya in Lakshadweep?

SHRI CHATURANAN MISHRA : Food processing is not under me. Even then, I will request my colleague to consider his case sympathetically.

MR. SPEAKER : But you can help them to grow more papaya.

[Translation]

SHRI THAWAR CHAND GEHLOT : Mr. Speaker, Sir, NAFED is engaged in food processing in co-operative sector. It produces tomato (or potato) Chips or Catchup which is consumed through out the country and exported as well. But its plant is obsolete due to which optimum production is not possible there. There is a need to increase its production. So far my information goes, NAFED has asked the Centre to provide land as they have funds with. After they get the land they will produce four times more catchup and work better in the Co-operative sector which will benefit the Cooperative sector. This is the Scheme. I would like to know from the Minister if he would approve the proposal and provide them land.

SHRI CHATURANAN MISHRA : Mr. Speaker, Sir, Centre does not provide land. That is done by the State Government. But I will ask NCDC to consider your question sympathetically. We don't provide land, that's rather provided by the State.

[English]

Sale of Land by SC/ST and Adivasis

*322. SHRI BHAKTA CHARAN DAS : Will the Minister of WELFARE be pleased to state :

(a) whether the Government have permitted the Scheduled Caste, Scheduled Tribe and Adivasis to sell their land;

(b) if so, whether the Government have any data about the number of Scheduled Caste, Scheduled Tribe and Adivasis in Orissa particularly in Kalahandi district who sold their land so as to prevent themselves from starvation;

(c) if so, the details thereof indicating the area of land sold by them;

(d) whether Government are aware that those Scheduled Caste, Scheduled Tribe and Adivasis became landless as a result thereof: and

(e) If so, the measures being taken by the Government to prevent them from becoming landless and for their development/rehabilitation?

THE MINISTER OF WELFARE (SHRI BALWANT SINGH RAMOOWALIA) : (a) Under Section 3(1) of the Orissa Scheduled Areas Transfer of Immovable Property (By Scheduled Tribes) Regulations, 1956 (Regulation 2 of 1956) and through Sections 22, 23, 23-A of Orissa Land Reforms Act, 1980 the Competent Authority/Revenue Officer has been empowered to grant permission for alienation of land belonging to STs/SCs. A member of ST/SC who intends to transfer any of his immovable property to a member of any non-ST/non-SC, shall submit an application for the purpose and obtain the prior consent in writing of the Competent Authority/Revenue Officer under the above sections. In case of transfer effected in contravention of the above restrictive provisions, the Competent Authority/Revenue Officer, as the case may be, may, on receipt of application or *suo moto* declare the transfer invalid and cause restoration of the land to the transferor or to his heirs and also impose penalty upto Rs. 200/- per acre of such property per year or any part thereof during which unlawful possession continues. Provision has also been made in both the enactments for eviction of unauthorised occupation of any immovable property or holding belonging to ST/SC persons by way of trespass or otherwise and restoration of possession thereof to those persons or to their heirs.

(b) No instance of selling land by them so as to prevent themselves from starvation has come to notice of Government.

(c) Does not arise.

(d) Does not arise.

(e) Does not arise.

[*Translation*]

SHRI BHAKTA CHARAN DAS (Kalahandi) : Mr. Speaker, Sir, I had a very specific question but in his reply it is written that the question does not arise. I have not got reply to my first question which reads as follows :

[*English*]

"(a) whether the Government have permitted the Scheduled Castes and Scheduled Tribes to sell their land.

I meant to say, whether the Government of India has a national policy to allow the Scheduled Castes and Scheduled Tribes to sell their land or not. It has not been answered, whereas part (b) of the question in respect of Orissa, has been answered. I would like to know from the hon. Minister whether the Government of India has a policy to allow the sale of land by Scheduled Castes and Scheduled Tribes or not.

Under Section 3(1) of the Transfer of Immovable Property (Regulation) Act, 1956 and Land Reforms Act, 1980, the Revenue Officers or the Sub-Collectors are the competent authorities to grant permission for the sale of lands belonging to Scheduled Castes and Scheduled Tribes. Strict principle should be observed in this behalf.

MR. SPEAKER : Please ask the question now.

SHRI BHAKTA CHARAN DAS : So many restrictions are there but they are not being observed. Only 31 days' notice is given. RI Reports are asked for and permissions are given by the Sub-Collectors to sell the land. There is one specific norm, that is the Assistant District Welfare Officers ... (*Interruptions*)

MR. SPEAKER : You please ask the question. You do not have to go on explaining the law. The Minister is supposed to know the law.

SHRI BHAKTA CHARAN DAS : Without asking for the report of the Assistant District Welfare Officers and without making any local enquiry, thousands of permissions are being given in the State of Orissa. I had specifically asked for Kalahandi which is in the State of Orissa. I would specifically like to know why these kinds of irregularities are being committed. The hon. Minister has said, "Does not arise".

MR. SPEAKER : If you do not have any question to ask, I am passing on to the next Member.

SHRI BHAKTA CHARAN DAS : I would specifically like to know whether the Government will realise this fact and institute an inquiry to punish such guilty officers who have given permissions without observing the rules properly.

SHRI BALWANT SINGH RAMOOWALIA : Since land is a State Subject, granting of permission to Scheduled

Castes and Scheduled Tribes lies with the Government of Orissa. As the hon. Member has asked the question regarding Orissa, I have answered the question as per the provisions of the rules, Acts or laws concerning the State of Orissa.

As far as giving punishment to the officers, who have been such permissions is concerned, I would like to say that if they have gone out of the rules or the provisions of the Act, the matter may be brought to my notice. I will take it up with the State Government.

[*Translation*]

SHRI BHAKTA CHARAN DAS : So severe draught is there in Kalahandi. You know that people are running for their lives in Kalahandi, Bolangir and Western Orissa. Approximately two and half lakh people have left my constituency in search of job in various towns after having sold their land. The Sub Collector has permitted them to sell their land. In Kalahandi a permission has been given to sell out 7-8 acre to 36 acre of land.

[*English*]

The Sub-Collector has given permission. He has taken bribes from many people.

[*Translation*]

They have been permitted to sell one thousand acre within a year. It never happened during last five years.

[*English*]

In this way, the power is being misutilized. The Scheduled Caste and Scheduled Tribe people have become landless. That is why I would like to know whether the Government would institute an inquiry into this.

SHRI BALWANT SINGH RAMOOWALIA : I think the hon. Member has not got proper statistics with him. The number of cases ... (*Interruptions*)

SHRI BHAKTA CHARAN DAS : For all the questions he has replied saying, "Does not arise". So, what else can I say ?

SHRI BALWANT SINGH RAMOOWALIA : I am replying regarding Kalahandi. The number of cases where transfer of land with the permission of the competent authority has taken place are 88 and the area of land involved is 192 acres. The number of cases involving transfer of land without permission are 516. Under the Orissa Land (Regulation) Act, action has been initiated to restore land to the transferrers.

SHRI SARAT PATTANAYAK : Through you, I would like to know from the hon. Minister whether the Government is going to set up a Committee to give instructions to the State Government of Orissa to examine and check the sale of land by the Scheduled Castes, Scheduled Tribes and Adivasis of the backward districts of Orissa.

AN HON. MEMBER : It is a very serious matter, Sir.

MR. SPEAKER : I know that. But it relates to Orissa only.

... (Interruptions)

SHRI P.M. SAYEED : This problem is there throughout the country.

MR. SPEAKER : I know that. But the question relates to Orissa only.

SHRI BALWANT SINGH RAMOOWALIA : So far as setting up of a Committee is concerned, I would like to say that I am not going to set up any Committee but I assure the hon. Member, through you, that I will leave no stone unturned to see that people are not compelled to sell their land in Orissa.

SHRI P.M. SAYEED : You may kindly allow a half-an-hour discussion on this. It is a very important matter. Alienation on the tribal land is there. It will never be taken up. Even in Tripura, most of the problems are because of alienation on the tribal land.

SHRI BASU DEB ACHARIA : This does not pertain to Orissa only. This problem is everywhere.

SHRI NIRMAL KANTI CHATTERJEE : Since this Government is very very skillful in issuing Ordinances, the proper course would be to issue an Ordinance, then bring a Bill and then have a discussion. That is the only route.

MR. SPEAKER : All right. Please sit down.

SHRI BALWANT SINGH RAMOOWALIA : I am prepared for Half-an-hour discussion.

SHRI BASU DEB ACHARIA : I would rather suggest a discussion under Rule 193. Half-an-hour discussion will not be enough.

SHRI MADHUKAR SARPOTDAR : I do not know, whether Shri Nirmal Kanti Chatterjee is encouraging the issuance of Ordinance by the Government !

MR. SPEAKER : I know, it is a very important question but I do not think there will be any time left before recess to discuss it. We will find some time after the recess.

[Translation]

Juvenile Reforms Centres

*323. SHRI KRISHAN LAL SHARMA :
DR. Y.S. RAJASEKHAR REDDY :

Will the Minister of WELFARE be pleased to state :

(a) the number of juvenile reform centres in the country and the number of boys and girls kept there separately, State/UT-Wise;

(b) whether the children kept in these centres are deprived of the basic facilities provided by the Government;

(c) if so, the reasons therefor;

(d) whether there have been incidents of running away of the children from these centres;

(e) if so, the reasons therefor; and

(f) the steps taken by the Government to check such incidents ?

[English]

THE MINISTER OF WELFARE (SHRI BALWANT SINGH RAMOOWALIA) : (a) to (f) A statement is placed on the Table of the House.

Statement

- | | |
|------------------|---|
| Part (a) | The information regarding Juvenile Reform Centres in the country and the number of boys and girls kept there separately, State-UT wise is given at Annexures I & II respectively. |
| Part (b) and (c) | The available information about some homes indicates that the conditions in these homes are not satisfactory reasons for which include poor infrastructure, staff shortage and lack of vocational training and recreational facilities. |
| Part (d) and (e) | There have been incidents of running away of children from these centres reasons for which include poor infrastructural facilities and inadequate security arrangement. |
| Part (f) | The steps taken by the Central Government to improve the conditions of these homes are as follows :— |
| | (a) to provide financial assistance to the States and Union Territories for the maintenance of these homes; |
| | (b) repeated letters have been written to the State Governments and Union Territories to improve the working of these homes; |
| | (c) the matter had been raised and discussed in a meeting of the State/UT Governments Welfare Secretaries. |