

**COMMITTEE  
ON  
GOVERNMENT ASSURANCES**

**THIRD REPORT**

(FOURTH LOK SABHA)

*(Presented on the 7th August, 1968)*



**LOK SABHA SECRETARIAT  
NEW DELHI**

*August, 1968 / Sravana, 1890 (Saka)*

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Corrigenda

to the

Third Report of the Committee on  
Government Assurances (Fourth Lok Sabha)

- Page 13, Para 10, line 2, for 'subjects' read 'subject'
- Page 27, against S.No. 10 under 'MEMBERS', for 'Shrimati Savitri Syham' read 'Shrimati Savitri Shyam'
- Page 30, Para 11, line 10, for 'ligible' read 'legible'
- Page 33, against S.No. 6 under 'MEMBERS', for 'Kumari Kamal Kumari' read 'Kumari Kamala Kumari'
- Page 36, Para 7, line 10, for 'invite' read 'invited'
- Page 45, (i) item No. 7, col. 2, line 1, for 'pupeses' read 'purposes'
- (ii) item No. 8, col. 2, line 3, for 'his' read 'this'
- Page 51, line 11 from bottom, after 'consideration' insert 'in'
- Page 53, Para 5, line 2, for 'Mundewala' read 'Jhandewalan'
- Page 54, Para 9, line 4, for 'drown-up' read 'drawn-up'
- Page 55, Para 11, lines 11-12, for 'indigenious' read 'indigenous'
- Page 57, Para 3, line 7, \_\_\_\_\_
- (i) for 'laid' read 'land'; and
- (ii) for 'precticable' read 'practicable'

P.T.O.

Page 59, —

(i) Para 13, line 3, for 'damege' read  
'damage'

(ii) Para 15, —

(a) line 5, for 'racklessly' read  
'recklessly'

(b) line 4 from bottom, for 'threateming'  
read 'threatening'

Page 62, —

(i) Para (2), line 7, for 'Uttar' read 'utter

(ii) Para (3), —

(a) line 3, for '1054' read '1954'

(b) line 7, for 'resasons' read 'reasons'

Page 64, line 4 from bottom, for 'into the' read  
'into and'

New Delhi,

The 7th August, 1968

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## COMMITTEE ON GOVERNMENT ASSURANCES

### COMPOSITION OF THE COMMITTEE

(1968-69)

Shri Atal Bihari Vajpayee—*Chairman.*

#### MEMBERS

2. Shri Maharaj Singh Bharati
3. Shri Abdul Ghani Dar
4. Shri Narendra Ramchandraji Deoghare
5. Shri Samar Guha
6. Kumari Kamla Kumari
7. Hazi Lutfal Haque
8. Shrimati Mohinder Kaur
9. Shri C. Muthusami
10. Shri Paokai Haokip
11. Shri S. R. Rane
12. Shri A. S. Saigal
13. Maulana Ishaq Sambhali
14. Shrimati Savitri Shyam
15. Shri Ramchandra Ulaka.

#### SECRETARIAT

Shri M. C. Chawla—*Deputy Secretary.*

# REPORT

## I. Introduction

I the Chairman of the Committee on Government Assurances, having been authorised by the Committee to present the Report on their behalf, hereby present this Third Report of the Committee.

2. The Committee was nominated by the Speaker with effect from the 1st May, 1968.

## II. Sittings of the Committee

3. After presentation of the Second Report (Fourth Lok Sabha) on the 26th April, 1968, the Committee held 5 sittings on the 7th and 8th June, 1st, 2nd and 26th July, 1968. At these sittings, the Committee examined the various statements laid on the Table by the Minister of Parliamentary Affairs showing action taken in implementation of the assurances given by the Ministers during the Thirteenth to Sixteenth Sessions of the Third Lok Sabha and First to Fourth Sessions of the Fourth Lok Sabha, considered the requests from Government for the dropping of 6 assurances and also examined a request from Government for not treating a reply as an assurance. The Committee also considered a number of representations received from the President, the Refugees Old Motor Parts Dealers Association (Regd.), Jhandewalan Road, Motia Khan, New Delhi, seeking relief as admissible to the displaced persons from West Pakistan, who had settled in the capital prior to the 15th August, 1950 in accordance with the assurances given in the House on the 29th September, 1951 by the then Minister of Works, Production and Supply, the late N. V. Gadgil, during the course of the discussion on the Delhi Premises (Requisition and Eviction) Amendment Bill, 1950 (since known as the "Gadgil Assurances"). In this connection, the Committee examined the representatives of the above Association and also those of the Ministry of Works, Housing and Supply, the Delhi Development Authority and the Delhi Administration at their sittings held on the 1st and 2nd July, 1968, respectively.

4. The conclusions arrived at by the Committee on the above matters are contained in the Minutes of the sittings of the Committee which are appended to this Report and form part of it.

### **III. Outstanding Assurances pertaining to Third Lok Sabha**

5. During the course of scrutiny of statements showing action taken in implementation of the assurances as laid on the Table by the Minister of State for Parliamentary Affairs on the 9th May, 1968, at their twenty-first sitting held on the 8th June, 1968, the Committee perused a table showing the number of assurances till then outstanding and directed that Government should be asked to make an all-out effort to liquidate the sixteen assurances pertaining to the Third Lok Sabha (Appendix I) without any further delay.

### **IV. Representations from the President, the Refugees Old Motor Parts Dealers Association (Regd.), Jhandewalan Road, Motia Khan, New Delhi, seeking relief under the Gadgil Assurances**

6. During the course of the year 1967-68, the last Committee received a number of representations from certain individuals and representatives of displaced persons' associations regarding the non-implementation of the assurances given in the House on the 29th September, 1951 by the then Minister of Works, Production and Supply (the late N. V. Gadgil) during the course of discussion on the Delhi Premises (Requisition and Eviction) Amendment Bill, 1950. These assurances, since known as "Gadgil Assurances" have been appended as Appendix II to the Second Report of the Committee presented on the 26th April, 1968. The Committee went into the matter of the above representations in greater details and in the process they examined the official and non-official witnesses and also made on-the-spot visits to the various impugned areas inhabited by the displaced persons in the capital and one of the colonies, called Pankha Road being developed in its periphery. After careful examination of the whole matter, the Committee came to the conclusion that there was a large number of eligible displaced persons who were still to be rehabilitated under the "Gadgil Assurances" and thus in their Second Report—presented on the 26th April, 1968, they recommended that Government should reconsider the whole matter keeping in view the humane aspect of the problem and do their best to implement the solemn assurances given by the late N. V. Gadgil as far as possible and explore all avenues as to how best these affected persons could be resettled.

7. While the last Committee were in the concluding stages of their work, a number of representations were received from the President, the Refugees Old Motor Parts Dealers Association, Jhandewalan Road, Motia Khan, New Delhi, claiming the same benefits as

admissible under the "Gadgil Assurances". Two of these representations dated the 21st March and 5th April, 1968 (Appendices II and III) covering most of the points made out in these representations were forwarded to the Ministry of Works, Housing and Supply for their comments.

8. While furnishing their comments in their Office Memorandum No. L-15(13)/67-Vol. II, dated the 6th June, 1968 (Appendix IV), the Ministry of Works, Housing and Supply, without specifically elucidating the point whether the members of the above Association were eligible for the benefits of the Gadgil Assurances, had expressed the view that the representations from these persons taking shelter under the "Gadgil Assurances" was an 'after-thought' and that they wanted 'double-benefits', one by way of allotment of land in Rewari Lines and the other by retaining the sites in Motia Khan, which, according to the Ministry, was not possible.

9. At their twenty-first sitting held on the 8th June, 1968, the Committee considered the above matter. Since the material before them in the case was insufficient to lead them to any conclusion, they decided to take evidence of the representatives of the Association and also of the Ministry of Works, Housing and Supply with a view to apprising themselves of the correct position. The Committee took evidence of the representatives of the above Association and of the representatives of the Ministry of Works, Housing and Supply, Delhi Development Authority and Delhi Administration at their twenty-second and twenty-third sittings held on the 1st and 2nd July, 1968, respectively.

10. It was submitted on behalf of members of the Association that Motia Khan was an area bounded by Desh Bandhu Gupta Road, Jhandewalan Road, Idgah Road and Rani Jhansi Road. The entire area was in the occupation of motor parts dealers and others trading in scrap metal and machinery parts. The traders were having their godowns and show-rooms attached to their offices.

The area-in-question was initially inhabited by squatters originally settled on the land outside Ajmere Gate and the displaced persons from West Pakistan, who developed the market and started their business. They had been paying property tax and 'Tehbazari' to the Municipal Corporation, rent to the Custodian and 'damage charges' as tax to the Delhi Development Authority. It was claimed that they had so far paid Rs. 72 per Sq. Yd. as damages, whereas some plots within this area had already been sold to other displaced persons at the rate of Rs. 25 and Rs. 30 per Sq. Yd.



It was further submitted by the Association that the Delhi Administration and the Delhi Development Authority were having a Slum Clearance Programme and under that programme, demolition work in the Motia Khan area was being carried out by the authorities 'recklessly and without any regard to human sufferings and material damage' caused to the occupants of Government land in that area. It was their submission that this Committee should consider their case and recommend to Government to settle their demands keeping in view the "Gadgil Assurances" given by Government.

11. Elucidating the point of their eligibility to the benefits as accruing to displaced persons occupying Government land prior to the 15th August, 1950 under the "Gadgil Assurances", the representatives of the Refugees Old Motor Parts Dealers Association in their evidence before the Committee on the 1st July, 1968 had to refer to the above facts and to say that they were in possession of correspondence which they had been carrying on with the Estate Officer, Delhi Development Authority or the Delhi Administration which, even though having no specific reference to their being covered under the "Gadgil Assurances" made specific references to their having settled in the Motia Khan area prior to the 15th August, 1950. In their correspondence with the Ministry of Home Affairs also they had brought out that specific point.

It was also pointed out by the representatives of the Association in the course of their evidence that the displaced persons in occupation of Government land prior to the 15th August, 1950 had to pay damages as rent at the rate of Rs. 5 per hundred Sq. Yds., whereas those in occupation of similar land after that date had to pay damages at the rate of Rs. 15 per hundred Sq. Yds. In support of this contention they quoted a judgment given by an Estate Officer of the Delhi Development Authority in December, 1959 and subsequently furnished copies of a few other similar judgments given by the same Estate Officer (Appendix V) in which some members of the Association were recognised to be occupying Government land prior to the 15th August, 1950 and were thus allowed to be assessed at a concessional rate similar to that applicable to those displaced persons who were occupants of Government land prior to the 15th August, 1950 and were granted rehabilitation benefits under the "Gadgil Assurances".

- The representatives of the Association, however, laid specific claim to their having been recognised by the authorities as established settlers.

12. In his evidence given before the Committee, the representative of the Ministry of Works, Housing and Supply requested the Committee to restrict their examination of the matter to the representations received by them from the Refugees Old Motor Parts Dealers Association, because two or three other parties were also involved in the overall problem of allotment of land to the traders in the Motia Khan and Jhandewalan area. The Committee were also informed by the Ministry's representative that subsequent to the submission of their case to the Committee, the members of the Association had gone to the court of law and obtained a Stay Order against their eviction from their present occupation of Government land. The representative of the Delhi Development Authority in his evidence told the Committee that the authorities had not gone into the question whether these traders belonged to the category of displaced persons entitled to the benefits under the "Gadgil Assurances". And in fact, he had his reservations about the claim of these persons to the benefits under the "Gadgil Assurances".

13. In their written representations as well as in their evidence, the representatives of the Association expressed their grievances against the authorities for their allotting 37 out of 80 plots of 500 to 600 Sq. Yds. each in 1954 to displaced persons coming from West Pakistan, whereas no decision had been taken by Government for the allotment of plots to them in the Motia Khan area. Moreover, when the allotment would be made to them, they were to get only a limited area to accommodate their offices and showrooms as compared to those 37 people who had already been allotted a much bigger area.

The representatives of the Delhi Development Authority elucidating the point further stated that these 37 people who were small factory owners were definitely covered under the "Gadgil Assurances" and that they were accommodated in 1954 in Motia Khan area when they were evicted from Jhandewalan area, as that area was cleaned up.

14. In their evidence, the representatives of the Association could not cite any document to indicate the basis of their claim to allotment of plots in the second and third phases of development scheme of the Motia Khan area, in which 488 and 250 plots were to be developed.

Clarifying this point, the representative of the Delhi Development Authority stated that there were no second and third phases of the development scheme of the area. In the interim general plan and

the Master Plan, this area was earmarked for flatted factories in multi-storeyed buildings, i.e., small factories which would make, for example, buttons and such things. The total area of Motia Khan was 34.2 acres, out of which 14 acres had already been given to 80 shops.

It was further stated by the representative of the Delhi Development Authority that the Master Plan had been divided into 136 zones. The zonal plan for this particular area had been drawn up and accepted by the Delhi Development Authority, but the final approval of Government was held up as some other points cropped up on which consideration was pending. The detailed plan for the Motia Khan area had also been drawn up and it was final.

15. It was submitted by the representatives of the Association that 15 shopkeepers immediately affected by the construction of a road in the Motia Khan area could have been rehabilitated on the other side of the road, where the evicted junk dealers of the Jama Masjid area had been resettled. Moreover, 200 shops had already been constructed or were in the process of completion. It was their apprehension that these shops would be allotted to the dealers who were coming from outside, e.g. from Jama Masjid area, and that they (the refugee old motor parts dealers of Motia Khan) would be displaced permanently as a result thereof. They urged before the Committee that some way should be found out so that the fifty thousand people who were dependent on the smooth running of the old motor parts market in the area were not deprived of their living.

Explaining this point, the representative of the Delhi Development Authority stated that the small junk dealers of the Jama Masjid area had been temporarily accommodated in Jhandewalan area three years ago, when that area was taken up for development. The multi-storeyed shopping centres which were to be put up by the Delhi Municipal Corporation did not get necessary funds from Government. So some difficulty arose in the finalisation of the plans for the development of Jama Masjid area and as a result the proposal for resettlement of the people affected by the clearance of the Jama Masjid area in the same area could not be given effect to.

16. In the course of evidence tendered before the Committee, it transpired that even the evicted junk dealers of the Jama Masjid area, who were brought to the Motia Khan area temporarily and were to be resettled at their old site in the Jama Masjid area after its proper development, had not so far been resettled permanently at the above site due to the indecision of the Government in the

matter. The Committee are, therefore, constrained to observe that this lack of decision and proper planning on the part of Government to rehabilitate permanently the junk dealers of Jama Masjid area at their old site have genuinely caused apprehension in the minds of the refugee old motor parts dealers of the Motia Khan area that they, after their eviction from their present site, would also meet the same fate. The Committee, therefore, desire that Government should now itself plan properly for the permanent resettlement of the junk dealers of the Jama Masjid area also and thus forestall the situation in which they find themselves at present.

17. In their representations and oral evidence, the representatives of the Refugees Old Motor Parts Dealers Association submitted that about Rs. 15 lakhs of earnest money deposited by them had been blocked with the Delhi Development Authority for about two years without payment of any interest thereon. This money was deposited by them individually with the Authority for the allotment of plots to set up warehouses in the Rewari Line Industrial Scheme. Although the earnest money had been lying blocked without any interest for the last two years, nothing had been done by that Authority in regard to the allotment of the plots to the members of the Association.

While explaining the actual position in this regard, the representative of the Delhi Development Authority in his evidence before the Committee stated that these people had applied for plots in the Rewari Line Industrial Scheme and had to deposit earnest money individually for the purpose. He had no information about the exact total of the earnest money so deposited. He also confirmed that no interest was payable on the earnest money so deposited.

It was also stated by the representative of the Delhi Development Authority that 3,000 plots had been developed in the Rewari Line Industrial Scheme and were ready for occupation.

18. In their evidence before the Committee, the representatives of the Association also referred to a conference called on the 30th May, 1968 by Shri Satya Narayan Sinha, Minister of Health, Family Planning and Urban Development in which the representatives of the Delhi Development Authority, the Delhi Administration, viz. Shri Bose Mullick and Shri Jagmohan and Shri Gyan Prakash, and the representatives of the Association were present. At this conference, the representatives of the Association signified their agreement to a proposal for the development of the area under the Master Plan of Delhi which primarily aimed at making the capital a beautiful city.

According to this proposal the members of the Association had to shift their warehouses to Rewari Line Industrial Scheme while retaining their show-rooms offices in the present market in the Motia Khan area. The members of the Association, however, had an apprehension that they had not so far received any confirmatory letter from the authorities, except that a letter dated the 10th June, 1968 from the Chief Executive Councillor of Delhi (Appendix VI) received by the President of the Refugees Old Motor Parts Dealers Association informing him that the matter was being decided by the Minister concerned sympathetically in accordance with the wishes of the members of the Association.

The above agreement which was reached between the representatives of the Association and the authorities concerned was defined in clearer terms by the representative of the Delhi Development Authority during his evidence before the Committee:

It was agreed that—

- (i) the representatives of the Association would withdraw their cases from the court;
- (ii) they would be prepared to shift to the junk market earmarked for them; and
- (iii) they would like to have some kind of a plot where they could have their show-rooms and offices, which was granted.

It was pointed out by the representative of the Delhi Development Authority that the working details of this agreement would be finalised after further consultation between the representatives of the Association and the Secretary (Land & Building) of the Delhi Administration. It was stated by the representative that this consultation had started and had been continuing. But one snag in the progress of settlement of the problem noticed by the representatives of the Delhi Development Authority was that the court cases had not so far been withdrawn by the representatives of the Association as they had promised to do earlier.

19. As already pointed out, the authorities had not examined the point whether the traders in scrap metals and old motor parts of Motia Khan who had come to this Committee for the first time, seeking relief under the "Gadgil Assurances", were actually covered

under those assurances. It was explained by the representative of the Delhi Development Authority that till 1954, Government land was being cleared of unauthorised occupants under a general clearance scheme and only those occupants who were covered under the "Gadgil Assurances" used to be provided with alternative accommodation. Thereafter, in July, 1960 a survey was conducted of the squatters on the Delhi Development Authority land and all squatters whose names were recorded in that survey would be duly provided with alternative accommodation by Government.

20. Now that the Administration was prepared to do whatever these traders of Motia Khan were demanding and as these traders had expressed some satisfaction before the Committee over Government's acceptance of their demands, the question whether or not they were covered under the "Gadgil Assurances" then remained only an academic one. If Government abide by the assurance given to these old motor parts dealers of Motia Khan at the conference held on the 30th May, 1968, and also reiterated before the Committee by their representatives, to properly resettle these traders in the Motia Khan area, the Committee would like to leave the matter as it is, as in their opinion this would provide the desired relief to these affected persons.

## V. Conclusions

21. In the ultimate analysis of the case, it is apparent to the Committee that thousands of people are dependent for their living on the smooth running of the centrally situated junk market in Motia Khan, that allotment of plots for warehouses to the individual members of the Refugees Old Motor Parts Dealers Association has not so far been made by the authorities even though their earnest money amounting to Rs. 15 lakh or so had been retained by them since December, 1966, and that the agreement reached between the traders concerned and the authorities, whose detailed working is being finalised, has yet to be executed to the satisfaction of the parties concerned in the background of one or the other party not coming to fulfil its part of the agreement.

The Committee would, therefore, strongly recommend that Government should take immediate steps to resettle the old motor parts dealers of Motia Khan in the same spirit in which they have assured them of Government's assistance in this regard.

The Committee would also recommend that the allotment of plots for warehouses in the Rewari Line Industrial Scheme, which is directly related to the allotment of showrooms/offices in the Motia Khan area to the eligible persons, whose earnest money is being held up for long, should be completed without any further delay.

NEW DELHI;

July 26, 1968.

Shravana 4, 1890 (Saka).

ATAL BIHARI VAJPAYEE,

Chairman,

Committee on Government Assurances.

## MINUTES

### I. Twentieth Sitting

The Committee met on Friday, the 7th June, 1968 from 16.00 to 17.00 hours.

#### PRESENT

Shri Atal Bihari Vajpayee—*Chairman*

#### MEMBERS

2. Shri Maharaj Singh Bharati
3. Shri Abdul Ghani Dar
4. Shri Narendra Ramchandraji Deoghare
5. Kumari Kamla Kumari
6. Shri S. R. Rane
7. Maulana Ishaq Sambhali
8. Shrimati Savitri Shyam.

#### SECRETARIAT

Shri M. C. Chawla—*Deputy Secretary.*

2. At the outset, the Chairman welcomed the members and gave a brief account of the origin, functions and working of the Committee on Government Assurances (Annexure I). In this connection, he referred to the number of assurances pertaining to the Third Lok Sabha still outstanding and the number of assurances pertaining to the First to Fourth Sessions of the Fourth Lok Sabha, which had been culled out and also those implemented so far.

3. The Chairman then read out letters received from Shrimati Mohinder Kaur and Shri A. S. Saigal expressing their inability to attend the current sittings of the Committee.

4. The Committee took up consideration of Memorandum Nos. I to VI.



## MEMORANDUM No. 1

*Scrutiny of statements showing action taken by Government in implementation of the assurances as laid on the Table on the 4th April, 1968 by the Minister of Parliamentary Affairs*

5. The Committee took up consideration of the following item included in the above statements (Annexure II):

Assurance given in reply to USQ. No. 2751 on the 1st December, 1967 regarding theft of rubber cushions from railway compartments near the capital—implemented *vide* item No. 63 of Supplementary Statement No. IV for Third Session, 1967 laid on 4th April, 1968.

The Committee decided that they might be informed of the final outcome of the prosecution launched in this case on the 3rd November, 1967.

## MEMORANDUM No. 2

*Dropping of an assurance given during supplementaries on SQ. No. 64 on the 15th February, 1968 regarding cost of procurement of kharif crop by Food Corporation of India*

6. The Committee then considered the note submitted by Government with the request that the above assurance should be dropped, but they did not agree to the reasons advanced therein. They desired that the assurance should be kept pending and Government should be asked to furnish the break-up of *mandi* charges, transport charges and other component charges going into the cost of kharif crops procured by the Food Corporation of India.

## MEMORANDUM No. 3

*Dropping of assurance given in reply to USQ. No. 2146 on the 28th February, 1968 regarding Plan allocation for the Union Territory of Manipur for 1967-68*

7. The Committee thereafter considered the note submitted by Government with the request that the above assurance should be dropped as the figures of actual expenditure would be available during the end of July, 1968. The Committee acceded to the above view of the Government and decided to drop the assurance.

## MEMORANDUM No. 4

*Unstarred Question No. 1650 answered on the 22nd February, 1968 regarding Whips' Conference, Simla—request for dropping the assurance given in reply thereto*

8. The Committee then took up consideration of the note submitted by the Department of Parliamentary Affairs requesting that the assurance in question should be dropped as the implementation of the recommendations referred to in the assurance was not likely to be completed within reasonable time. The Committee were not convinced with the reasons advanced by Government for non-implementation of the assurance within reasonable time and desired that the assurance should be kept pending and its implementation by Government watched.

## MEMORANDUM No. 5

*Dropping of an assurance given in reply to USQ. No. 3288 on the 8th March, 1968 regarding proposal for the creation of posts of Stenographers Grade III in Central Secretariat Service*

9. The Committee considered the note of the Ministry of Home Affairs, but they did not agree to the view that the assurance should be dropped. They desired that Government should be asked to indicate the outcome of the proposal to create a new category of Stenographers Grade III which had been under their examination.

## MEMORANDUM No. 6

*Unstarred Question No. 812 answered on the 16th February, 1968 regarding National Education Policy—request for not treating the reply as an assurance*

10. The Committee considered the request of the Ministry of Education for dropping the assurance as its subjects matter related to a big policy matter which would undoubtedly be brought before the House in due course, but they did not accept the above view. They directed that the assurance should be kept pending and Government should be asked to expedite its implementation.

11. The Committee decided to meet again on Saturday, the 8th June, 1968 at 10.00 hours.

*The Committee then adjourned.*

## ANNEXURE I

(Vide para 2 of Minutes)

*Address delivered by the Chairman, Committee on Government Assurances at the First Sitting of the newly constituted Committee on Government Assurances to be held on the 7th June, 1968.*

I am very happy to welcome you to this first sitting of the Committee on Government Assurances.

2. As you are aware, while replying to the questions or supplementaries thereon or during discussions on Bills, resolutions, motions, etc., Ministers sometimes give assurances, undertakings or promises either to consider a matter, take action or furnish the House with the relevant information later. In order to watch the implementation of such assurances on behalf of Lok Sabha, a Committee known as Committee on Government Assurances was first constituted by the Speaker on the 1st December, 1953. Rule 323 was subsequently incorporated in the Rules of Procedure and Conduct of Business in Lok Sabha. This provides for the constitution of this Committee and also defines its functions.

3. I would now broadly explain the functions of this Committee. The functions of this Committee are to scrutinize the assurances, promises, undertakings etc. given by Ministers from time to time on the floor of the House and to report on:—

- (a) the extent to which such assurances, promises, undertakings etc., have been implemented; and
- (b) where implemented whether such implementation has taken place within the minimum time necessary for the purpose.

4. In April, 1954, the Committee considered the various forms in which assurances, promises, undertakings, etc., are given on the floor of the House and approved a standard list of forms which are to be treated as assurances, undertakings, etc., given by Ministers. These forms, though not exhaustive are meant for the purpose of guidance of the Committee. Any addition to or deletion from these forms, is done only with the approval of the Committee.

In accordance with these forms, the Department of Parliamentary Affairs culls out the assurances from the daily Debates and furnishes them to the Lok Sabha Secretariat. The assurances thus culled out

by the Department of Parliamentary Affairs are compared with assurances which are culled out independently by the Lok Sabha Secretariat in accordance with the standard forms laid down by the Committee. In the event of any controversy between the assurances compiled by the Department of Parliamentary Affairs and by the Lok Sabha Secretariat, the matter is placed before the Chairman, Committee on Government Assurances for his decision.

5. The Minister of Parliamentary Affairs lays on the Table from time to time statements showing the action taken by Government in implementation of the assurances. Such statements are examined by our Secretariat with a view to seeing whether the implementation of the assurances contained therein is satisfactory. The result of such an examination is circulated to members of the Committee in the form of a tabular statement.

6. Since the purpose and the value of an assurance is lost unless it is fulfilled within a reasonable time, the Committee made the following recommendation in para 15 of their First Report (First Lok Sabha—May, 1954):

“The Committee would like that in future, the assurances are implemented within a maximum period of two months and where it is not possible to comply with this requirement, a report giving reasons for the delay should be made to the Committee in order to enable them to judge how far it was beyond the power of the Ministry to implement the assurances within the stipulated period and what were the reasons responsible for the delay or inadequate implementation of the assurances.”

7. During the First Session, 1967 to Fourth Session, 1968, of the Fourth Lok Sabha, 3091 assurances were culled out. Out of these, 1362 assurances have since been implemented, leaving a balance of 1729 assurances still to be implemented. With regard to the assurances relating to the Third Lok Sabha, out of 93 assurances referred to the First Committee of Fourth Lok Sabha, only 16 are now pending. I may also mention for the information of members that in February last, the Department of Parliamentary Affairs requested that the maximum time limit for the implementations of assurances fixed by the Committee at two months should be raised to six months as it was not only inadequate but was necessitated by the present steep rise in the incidence of assurances. After discussing the pros

and cons of this suggestion at some length, the Committee agreed that the maximum time-limit might be raised from two to three months instead of six months on an experimental basis. The Committee also observed that they would like to watch its working for some time before a final decision was taken by the next Committee in the light of the experience thus gained.

8. Before I conclude, I would urge you to take an active interest in the working of this Committee, which acts as an important functional limb between the Executive and the Legislature in the matter of implementation of assurances given on the floor of the House. I am sure by our labours, this Committee would become more effective and we shall continue to maintain the happy and well-established tradition of working in a non-partisan spirit in the Committee and arriving at unanimous decisions as far as possible, on all issues coming up before the Committee. I would also welcome any suggestions which you might like to offer for effecting an improvement in the working of the Committee.

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## ANNEXURE II

(Vide para 5 of Minutes)

*Supplementary Statement No. IV showing action taken in implementation of assurances given during Third Session, 1967—68 laid on the Table on 4-4-1968.*

### MINISTRY OF RAILWAYS

Sl. No.	Date and Reference	Subject	Promise made	When and how fulfilled
1	2	3	4	5
63	Unstarred Question No. 2751 on the 1st December, 1967 by Shri Mohan Swarup.	(a) whether it is a fact that rubber cushions worth Rs. 25,00/- were stolen from railway compartments near the capital recently;  (b) whether it is also a fact that some of those cushions have been found in the houses of some distinguished persons in Delhi; and  (c) if so, the steps taken in the matter.	(1) The case has been registered u/s 3, 51/55 of Stores Unlawful Possession Act,	(1) A number of trains which are likely to be subjected to criminal interference, are regularly escorted by the RPF staff;

The following steps have since been adopted :

(1) A number of trains which are likely to be subjected to criminal interference, are regularly escorted by the RPF staff;

I

2

3

4

5

1955 *vide* FIR No. 613 of 3-11-1967 and is still under police investigation.

(2) RPF men are detailed in Railway Yards to guard the rolling stock against thefts; and

(3) Plain clothed staff of the Railway Protection Force are drafted to collect crime intelligence.

## II. Twenty-first Sitting

The Committee met on Saturday, the 8th June, 1968 from 10.00 to 11.15 hours.

### PRESENT

Shri S. R. Rane—in *Chair*.

### MEMBERS

2. Shri Maharaj Singh Bharati
3. Shri Abdul Ghani Dar
4. Shri Narendra Ramchandraji Deoghare
5. Kumari Kamla Kumari
6. Hazi Lutfal Haque
7. Maulana Ishaq Sambhali
8. Shrimati Savitri Shyam
9. Shri Ramchandra Ulaka.

### SECRETARIAT

Shri M. C. Chawla—*Deputy Secretary*.

2. In the absence of the Chairman, Shri S. R. Rane was chosen to president over the sitting of the Committee.

3. The Committee took up consideration of Memoranda Nos. 7 to 9.

### MEMORANDUM No. 7

*Assurance given in reply to a supplementary question by Shri Hem Barua on Starred Question No. 1145 on the 14th July, 1967 regarding Bihar Minister's reported statement regarding refusal of extraction of coal to NCDC—request for dropping the assurance.*

4. The Committee considered the note submitted by Government suggesting that the assurance be dropped in view of the following



position explained by Government in the reply given on the 1st December, 1967 to Unstarred Question No. 2604 and decided to drop the assurance:

**“As no authentic or verbatim copy of the reported speech delivered by the Minister of Local Self Government of Bihar regarding coal extraction was available with the State Government, they have informed this Government that no official version of the said speech could be supplied.”**

#### MEMORANDUM No. 8

*Security of statements showing action taken in implementation of the assurances as laid on the Table by Minister of State for Parliamentary Affairs on the 9th May, 1968.*

5. The Committee considered the following three items (Annexure) which had been included in the seven statements showing action taken in implementation of the assurances as laid on the Table on the 9th May, 1968 and observed as follows:

- (i) Assurance given in reply to Unstarred Question No. 10 on the 13th February, 1968 regarding Import of Textile Machinery by S.T.C. implemented *vide* item No. 4 of Supplementary Statement No. I for the Fourth Session, 1968 as laid on 9th May, 1968.

The Committee perused the statement laid on the Table and decided that the assurance should be dropped, as full information had been furnished by Government.

- (ii) Assurance given in reply to Unstarred Question No. 1900 on the 27th February, 1968 regarding Weavers' Co-operative Societies in Orissa—implemented *vide* item No. 5 of Supplementary statement No. I for the Fourth Session, 1968 as laid on 9th May, 1968.

The Committee noted that the State Government had sanctioned disbursement of Rs. 2,50,000 out of the sum of Rs. 10,13,500 outstanding for payment to the Weavers' Co-operatives upto 31st July, 1967

after which the scheme was withdrawn by the State Government. The Committee desired that Government might be asked to write to the State Government to expedite the issue of financial sanction and disbursement of the rebates without any further delay in order to avoid any hardships being caused to the weavers.

- (iii) Assurance given in reply to Unstarred Question No. 6159 on the 20th July, 1967 regarding Cola drinks—implemented *vide* item No. 10 of Supplementary Statement No. XIII for the Second Session, 1967 as laid on 9th May, 1968.

As the specific information about the actual state of affairs regarding unauthorised manufacture of Cola drinks and the action, if any, taken by Government against fraudulent manufacturers had not been given in the statement laid, the Committee directed that the assurance should be kept pending and Government should be asked to furnish full information in the matter, *viz.*, the number of cases in which action was taken against the fraudulent manufacturers of Cola drinks under the P.F.A. Rules, 1955.

In this connection the Committee perused the table showing the number of assurances still outstanding and directed that Government should be asked to make an all-out effort to liquidate the sixteen assurances pertaining to the Third Lok Sabha without any further delay.

#### MEMORANDUM No. 9

*Representation from the President, The Refugees Old Motor Parts Dealers Association (Regd.), Jhandewala Road, Motia Khan, New Delhi, seeking relief under the Gadgil Assurances.*

6. The Committee then took up for consideration the representations addressed to the Chairman of the Committee by the President, The Refugees Old Motor Parts Dealers Association (Regd.), Jhandewala Road, Motia Khan, New Delhi, contending that the squatters in that area were covered under the "Gadgil Assurances" and as such they should not be removed from that site. In this connection, the Committee perused the comments furnished by the Ministry of Works, Housing and Supply on the representations and noted that Government had neither accepted nor had they rejected the con-

tention of the said Association that they were covered under the "Gadgil Assurances" and as such were entitled to certain benefits accruing therefrom. In order to have a proper appraisal of the correct position the Committee decided to hear the representatives of the said Association on the 1st July, 1968 and those of the Ministry of Works, Housing and Supply on the 2nd July, 1968.

*The Committee then adjourned.*

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## ANNEXURE

(Vide para 5 of Minutes)

*Supplementary statement No. 1 showing action taken on assurances given during the Fourth Session, 1968 of the Fourth Lok Sabha as laid on 9-5-68.*

Sl. No.	Date and Reference	Subject	Promise made	When and how fulfilled
1	2	3	4	5

(MINISTRY OF COMMERCE)

Date of fulfilment : 19-4-68

Import of Textile Machinery by S. T. C.

4 USQ. No. 10, on the Referring to the reply given to 13th February, Started Question No. 1094 on the 15th December, 1967 and asking :  
 raj Singh Chau-  
 dhary.

(a) whether the textile Machinery imported by the State Trading Corporation for Rayex in 1966 could not be manufactured in the country;  
 (a) to (c) Information is being collected and will be laid on the Table of the House.

(b) if so, the reasons therefor; and

(b) The sizing machine of C-Type imported for Rayex for processing zero low twist synthetic yarn is not produced in the country.

(c) the details of the machinery imported and the machinery being manufactured in the country.

(c) C-Type sizing machines were imported.  
The machinery manufactured in the country are indicated below :

1. Multi-cylinder high speed sizing machine.
2. High speed sizing machine.

#### Weavers' Co-operative Societies in Orissa

5 USQ. No. 1900, on the 27th February, 1968 by Shri Chintamani Panigrahi.

(a) whether the Government of Orissa owes money as arrears of rebate to both the Apex and Primary Weavers' Co-operatives in Orissa;

(a) to (c) The Information is being collected and will be laid on the Table of the House.

(b) if so, what is the total amount; and

(b) Up to 31-7-67—Rs. 10,13,500/-. Rebate scheme has been withdrawn by the State Government from 1st August, 1967.

(c) the steps taken to reimburse the arrears of rebates to the Apex and Primary Weavers' Co-operatives.

(c) The State Government have sanctioned disbursement of Rs. 2,50,000/-. The payment of the balance amount is held up for want of the State Government's financial sanction.

*Supplementary statement No. XIII showing action taken on assurances given during the Second Session, 1967 of the Fourth Lok Sabha as laid on 9-5-68.*

S. No.	Date and Reference	Subject	Promise made	When and how fulfilled
1	2	3	4	5
<b>MINISTRY OF HEALTH, FAMILY PLANNING AND URBAN DEVELOPMENT</b>				
<b>Cola Drinks</b>				
10	USQ. No. 6159 on the 20th July, 1967 by Shri R. Singh Deo and others.	(a) the number of types of authorised cola drinks which are being manufactured in the country;	(a) to (c) The Information is being collected and will be laid on the Table of the Sabha.	Date of fulfilment : 27-4-1968
<p>(a) A large number of cola drinks are being manufactured in the country. There is no separate standard laid down for cola drinks under P.F.A. Act, 1954 and these drinks are covered under the general specifications of carbonated waters laid down in the P.F.A. Rules, 1955.</p>				
<p>(b) whether the manufacturers of these authorised cola drinks have any qualified chemists for testing the formulae before putting the drinks in the market;</p> <p>(b) there is no provision under the P.F.A. Act, 1954 that the manufacturers of carbonated waters including 'cola drinks' should have any qualified chemists for testing the products put in the market. However, some of the big concerns have got qualified chemists for testing these products before putting these in the market.</p>				
<p>(c) whether Government also get these formulae tested to</p> <p>(c) the P.F.A. Rules, 1955, provide for the permitted substances which</p>				

ensure that they do not have any harmful effect on the people ;

could be added to the carbonated water including cola drinks. The State Health authorities who are implementing the P.F.A. Act do take the samples from the market to see that they do not contravene the specifications laid down under the P.F.A. Rules and have no harmful ingredients.

(d) whether any unauthorised cola drinks are being manufactured and being sold in the market; and

(d) & (e) under the P. F. A. Rules, 1955, it is obligatory for a manufacturer to obtain a licence for the manufacture of carbonated waters including cola drinks and any manufacturer found working without a licence is dealt with under the provisions of these Rules.

(e) if so, whether Government have taken any action to take the fraudulent manufacturers to task.

### III. Twenty-second Sitting

The Committee met on Monday, the 1st July, 1968 from 15.00 to 16.30 hrs.

#### PRESENT

Shri Atal Bihari Vajpayee—*Chairman.*

#### MEMBERS

2. Shri Maharaj Singh Bharati
3. Shri Abdul Ghani Dar
4. Shri Narendra Ramchandraj Deoghare
5. Kumari Kamla Kumari
6. Hazi Lutfal Haque
7. Shri C. Muthusami
8. Shri S. R. Rane
9. Shri A. S. Saigal
10. Shrimati Savitri Syham
11. Shri Ramachandra Ulaka.

#### SECRETARIAT

Shri M. C. Chawla—*Deputy Secretary.*

#### WITNESSES

- (1) Shri Harbhajan Singh Sodhi, *President*, The Refugees Old Motor Parts Dealers Association (Regd.), Jhandewalan Road, Motia Khan, New Delhi.
- (2) Shri Prem Singh, *Vice-President.*
- (3) Shri Narendra Singh Sharma, *Office Secretary.*
- (4) Shri Manmohan Singh, *Secretary.*
- (5) Shri Ajit Singh, *Member.*
- (6) Shri Kartar Singh, *Member.*
- (7) Shri Narain Singh, *Member.*
- (8) Shri K. N. Dubey, as *Special representative.*

*(The witnesses were called in)*



2. At the outset, the Chairman made it clear to the witnesses that their evidence would be treated as public and was likely to be published, unless they specifically desired that all or any part of the evidence given by them was to be treated as confidential. It was, however, explained to the witnesses that even though they might desire their evidence to be treated as confidential, such evidence was liable to be made available to the members of Parliament.

*[Thereafter all the witnesses were administered oath or affirmation]*

3. Then the Chairman asked the witnesses to place before the Committee any further points or material in addition to what had already been stated in the various memoranda submitted by the Association to the Committee. It was submitted by the Spokesman of the Association that after partition of the country, the members of the Association migrated to Delhi and had settled on the present site for the last 20 years. They were in possession of correspondence which they had been carrying on with the Estate Officer, the Delhi Development Authority or the Delhi Administration in which although no specific reference was made to their being covered under the "Gadgil Assurances", but due to the circumstances of their case, they could hardly be separated from the displaced persons who were eligible to benefits under the "Gadgil Assurances".

4. When asked to explain whether they had previously approached the Committee on Government Assurances claiming that they were covered under the "Gadgil Assurances" which were in operation since 1950, the witnesses stated that they were not aware of the existence of such a Committee. They were, however, corresponding with the Ministry of Home Affairs in the matter. Whereupon the Chairman pointed out that Government and Parliament were two different entities;—it would not be a correct proposition if the members of the Association thought that by virtue of their entering into correspondence with the Ministry of Home Affairs or other wings of Government, their case would get automatically referred to this Parliamentary Committee. The Spokesman was asked to produce before the Committee documents in which they had sought relief, not by inference, but specifically under the "Gadgil Assurances".

5. The Spokesman of the Association admitted that they had no documentary evidence to indicate that they were covered under the "Gadgil Assurances", but he contended that they were entitled to the benefits under the "Gadgil Assurances." It was stated that the displaced persons in occupation of the Government land before the 15th August, 1950 had to pay damages as rent at the rate of Rs. 5 per 100 sq. Yds., whereas those persons in occupation of similar land after that date had to pay damages at the rate of Rs. 15 per hundred

Sq. Yds. Another representative referred to a judgement delivered by an Estate Officer of the Delhi Development Authority in December, 1959 in a case in which a member of the Association was recognised to be occupying Government land prior to the 15th August, 1950 and thus was allowed to be assessed at a concessional rate similar to that applicable to those displaced persons who were occupants of Government land prior to the 15th August, 1950 and were granted rehabilitation benefits under the "Gadgil Assurances".

It was, however, claimed by the representative of the Association that they had been receiving notices as established settlers and were recognised as such.

6. It was brought to the notice of the Committee that 80 persons among the dealers of the area had been allotted land on a permanent basis. The Spokesman of the Association was asked to explain the reasons for the allotments being made to those 80 persons only. In reply, it was stated by a witness that there was a road in the centre of the area. The allotment of land to those dealers on one side of the dividing road was made as plans for the same were completed and a promise was held out to the remaining dealers on the other side of the road that they would also be settled in their turn on the rest of the land. The witness further explained that these eighty persons who were settled in 1954 were all displaced persons from West Pakistan.

7. As to the rehabilitation of 15 shopkeepers affected by the construction of a road in the Motia Khan area, it was suggested by the witnesses that those persons could also be rehabilitated on the other side of the road where the evicted junk dealers of the Jama Masjid area had been resettled.

8. In reply to a question, the witness stated that they had no information whether the question of resettlement of the displaced dealers of Motia Khan was considered by the Chanda Committee which was constituted in pursuance of the "Gadgil Assurances", and whether that Committee had also visited the site in Motia Khan.

9. Continuing the witness stated that for fourteen years the displaced dealers had been waiting for their turn for the resettlement. They were made to understand that the Master Plan was in the making and that 15 acres of land would be reserved for them. It was submitted that the Master Plan on page 15 had very clearly earmarked allotment of 15 acres of land for scrap metal and junk dealers mostly trading in old motor parts. The foot-note in the Master Plan on page 16 further confirmed the reservation of the said plot of 15 acres "for dealers now spread out in the area". The Master

Plan, therefore, envisaged that the local dealers should be re-organised in the Motia Khan area.

10. It was submitted on behalf of members of the Association that some way should be found out by the Committee so that the fifty thousand people who were dependent on the smooth running of the old motor parts dealers' market in the area, were not deprived of their living and that the prayer of the members of the Association for the allotment of plots of 120 Sq. Yds. each be granted. 200 shops had already been constructed or were in the process of completion. It was their submission that these shops should not be allotted to those dealers alone who were coming from outside, e.g. Jama Masjid area and that they (the old motor parts dealers of Motia Khan) should not be displaced as a result thereof.

11. In support of the misgiving the members of the Association had about the intention of the authorities, their Spokesman invited the attention of the Committee to the following reply of the Deputy Minister for Rehabilitation in Rajya Sabha on the 10th May, 1968 to a supplementary question on Starred Question No. 268 asking to know what steps were being taken by the Department of Rehabilitation to see that these displaced persons were given alternative accommodation before they were dislodged from their present position:

"All ligible squatters on public land will be provided alternative accommodation under the Master Plan Development. So far as the Department of Rehabilitation is concerned, we have not settled any of the displaced families there. Therefore, it is entirely the responsibility of the Ministry of Health, Family Planning and Urban Development."

12. When questioned about the basis of their statement that it was further proposed to allot 488 and 250 plots in the second and third phases of the development scheme, the Spokesman stated that they came to know of the first phase of the development scheme under which 80 plots were demarcated by the Delhi Development Authority, along with which there were the second and third phases for the development of 488 and 250 plots, respectively. The subsequent two phases were stated to have been discarded by the Delhi Development Authority.

13. When asked to give details about the earnest money amounting to Rs. 15 lakhs deposited by the members of the Association with the Delhi Development Authority having been blocked without payment of any interest thereon, as referred to in their representations, the witness stated that it was advertised some two years

ago on behalf of the Delhi Development Authority that plots for setting up of warehouses were available in the Rewari Line Industrial Scheme and whoever were in need of such plots had to deposit Rs. 1200 for a plot of 600 sq. Yds. each. Any person who was in need of such plots could submit his application with the earnest money and many of the members of the Association applied to the Delhi Development Authority individually for the allotment of those plots. Thus it was claimed that a sum of Rs. 15 lakhs had been lying blocked with the Delhi Development Authority for the past two years and nothing had been done by that authority in regard to the allotment of the plots in that area.

14. Finally, the witnesses referred to the conference called on the 30th May, 1968 by Shri Satya Narayan Sinha, Minister of Health, Family Planning and Urban Development at which, the representatives of the Delhi Development Authority and the Delhi Administration, viz., Shri Bose Mullick and Shri Jagmohan and Shri Gyan Prakash and the representatives of the Association were present. At this conference, the representatives of the Association signified their agreement to the proposal for the development of the area under the Master Plan of Delhi which primarily aimed at making the capital a beautiful city. According to this proposal the members of the Association had to shift their warehouses to Rewari Line Industrial Scheme while retaining their show-rooms/offices in the present market in the Motia Khan area. The Association had not in the meanwhile received any confirmatory letter from the authorities in this connection. The witnesses reiterated that they had no written document indicating the details of the proposal of the Delhi Development Authority which had been accepted by them, except that a letter had been written to the President of the Association on the 10th June, 1968 by Shri Vijya Kumar Malhotra, Chief Executive Councillor of Delhi informing him that the matter was being decided by the Minister of Health, Family Planning and Urban Development favourably in accordance with the wishes of the members of the Association. It was submitted by the Spokesman that the Committee would use its good offices to see that the agreement, as now reached by them with the authorities, should be honoured by the authorities and that they should be properly resettled in the same area.

15. The Chairman pointed out that so long as the members of the Association thought that they could settle their demands by writing to the authorities, they did not think it worthwhile to come to the Committee; now that they were faced with difficulty, they were seeking relief under the "Gadgil Assurances". The Committee

would, however, consider the matter carefully and make suitable recommendations.

*[The witnesses then withdrew]*

16. The Committee then adjourned to meet again on Tuesday, the 2nd July, 1968 at 15.00 hours to take evidence on the same subject of the representatives of the Ministry of Works, Housing and Supply, Delhi Development Authority and Delhi Administration.

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#### IV. Twenty-third Sitting

The Committee met on Tuesday, the 2nd July, 1968 from 15.00 to 16.15 hours.

#### PRESENT

Shri Atal Bihari Vajpayee—*Chairman*

#### MEMBERS

2. Shri Maharaj Singh Bharati
3. Shri Abdul Ghani Dar
4. Shri Narendra Ramchandraj Deoghare
5. Shri Samar Guha
6. Kumari Kamal Kumari
7. Hazi Lutfal Haque
8. Shri C. Muthusami
9. Shri S. R. Rane
10. Shri A. S. Saigal
11. Shrimati Savitri Shyam

#### SECRETARIAT

Shri M. C. Chawla—*Deputy Secretary.*

#### WITNESSES

#### **Ministry of Works, Housing and Supply (Department of Works and Housing)**

- (1) Shri P. Prabhakar Rao—*Joint Secretary.*
- (2) Shri P. D. Garg—*Deputy Secretary.*

#### **Delhi Development Authority—**

- (3) Shri S. G. Bose Mullick—*Vice-Chairman.*

#### **Delhi Administration—**

- (4) Shri I. K. Suri—*Deputy Secretary (Land & Building).*

[*The witnesses were called in*]

2. At the outset, the Chairman gave a resume of the case in regard to the representations received from the President, the Refugees Old

Motor Parts Dealers Association (Regd.), Jhandewalan Road, Motia Khan, New Delhi claiming benefits under the "Gadgil Assurances" given in Lok Sabha on the 29th September, 1951. He stated that a number of representations had been received by the Committee from the above Association seeking rehabilitation benefits under the "Gadgil Assurances". Two of these representations dated the 21st March, 1968 and the 5th April, 1968 were forwarded to the Ministry of Works, Housing and Supply for comments on the 25th March and 11th April, 1968, respectively. The comments furnished by the Ministry for information of the Committee were not very clear and the Committee would like to have further information in regard to those points. The members of the Association claimed that they were displaced persons from West Pakistan and were, therefore, entitled to the benefits admissible under the "Gadgil Assurances". The comments furnished by the Ministry were not very clear on that point and the representatives of the Ministry were, therefore, asked to throw some light thereon.

3. The representative of the Ministry (Shri P. Prabhakar Rao) suggested that the Committee might like to restrict their examination to the representations received from the Refugees Old Motor Parts Dealers Association, because two or three other parties were also involved in the overall problem of allotment of land to traders in the Motia Khan and the Jhandewalan area. He informed the Committee that subsequent to the submission of their case by the Association to the Committee on Government Assurances, there had been some other developments which related to the members of the Association going to the court of law and obtaining a Stay Order over their eviction from their present occupation of Government land and also to a meeting with the Minister of Health, Family Planning and Urban Development in which the members of the Association had participated. As the representative of the Delhi Development Authority (Shri Bose Mullick) had been associated with the meetings with those people, he suggested that Shri Bose Mullick might be permitted to give to the Committee the background and the development subsequent to that.

4. Thereafter the representative of the Delhi Development Authority stated that the Refugees Old Motor Parts Dealers Association was an association of dealers in motor parts junk. Their number was somewhere about 500 or a little more. These people were being shifted to an area earmarked for a junk market in one of the warehousing areas developed by the Delhi Development

Authority. A few members of this Association, according to his information, might have actually been bodily shifted or be in the process of being shifted, when these people went to a court of law and obtained a Stay Order, as a result of which further shifting had been postponed.

5. Continuing his evidence, the witness stated that these traders had also sent a representation to the Minister of Health, Family Planning and Urban Development, since Delhi Development Authority was under that Ministry. At a very recent meeting, held on the 30th May, 1968 with the representatives in the presence of the Minister it was decided that—

- (i) the representatives of the Association would withdraw their cases from the court;
- (ii) they would be prepared to shift to the area earmarked for them, that was to say, the junk market; and
- (iii) they would like to have some kind of a plot where they could have their show-rooms and office, which was granted.

At that meeting it was also decided that the dealers would spell out all other details in consultation with the Secretary (Land & Building) of the Delhi Administration. But initially the representatives of the Association failed to come and have consultation with the representative of the Delhi Administration. And when this matter came to the notice of the Minister, and since then, consultation with the representative of Delhi Administration had started and had been continuing. The court cases, according to the information of the witness, had not, however, been withdrawn by the representatives of the Association as they had promised to do that earlier.

6. Explaining further, the witness stated that the Delhi Development Authority had not gone into the question whether these traders belonged to the category entitled to the benefits under the "Gadgil Assurances," because all persons who had squatted on Government land upto July, 1960 were being treated as persons who would be entitled to alternative accommodation in one of the proper places earmarked for them. As almost all the members of the Association were covered under that dispensation, the question of a person or two or any of them being covered under the "Gadgil Assurances" under which a person who was there in July-August, 1950 and could get alternative accommodation, did not come into prominence. It



was further submitted that these traders had never represented to them that they were in any manner covered under the "Gadgil Assurances".

7. Supplementing the above evidence of the representative of the Delhi Development Authority, the representative of the Ministry (Shri Prabhakar Rao) submitted that the proposed alternative accommodation in the Rewari Line Industrial Scheme along with the showroom facility right in Motia Khan went even beyond what they would otherwise have got under the "Gadgil Assurances." The intention and the objective of Government was to take people right upto the year 1960 and to settle them in the proper place where they could carry on their trade in conformity with the Master Plan. The witness invite the attention of the Committee to this aspect of Government's objective which was much beyond the scope of the "Gadgil Assurances".

8. When asked to explain the position of Government in regard to the apprehension of the representatives of the Association as expressed by them in their memoranda to the Committee, that they would be shifted from the present area and the dealers from Jama Masjid area would be settled there, the representative of the Delhi Development Authority stated that it was not a correct apprehension. The witness further stated that the small junk dealers of Jama Masjid area had been temporarily accommodated in Jhandewalan area three years ago, when that area was taken up for development. As the multi-storeyed shopping centres which were to be put up by the Delhi Municipal Corporation did not get necessary funds from the Government, it was quite possible that the Delhi Development Authority would have to take over and finance the project from their own resources.

9. It was pointed out to the witness that the Committee had an impression that the persons evicted from the Jama Masjid area and brought to the Motia Khan area temporarily, had not so far been resettled at their old site. Those people had thus a genuine grievance. It was, therefore, not known what would be the fate of the refugee old motor parts dealers of the Motia Khan area. The witness explained that the proposal was that the Jama Masjid area would be cleared at first and thereafter the same people would be settled in that area according to certain plans. Some difficulty had, however cropped up in finalisation of the above plans. It would not, therefore, be proper, the witness stated, for him to commit anything in the matter. He, however, agreed that the plans for the

resettlement of persons of Jama Masjid area would be finalised very early.

10. On being asked to explain how in 1954, 37 plots out of the 80 plots of 500 to 600 Sq. Yds. drawn up, were allotted to local dealers, and the representatives of the Association were discriminated against as they were to get only a limited area to accommodate their office and show-room as compared to those who had already been allotted a much bigger area, the witness stated these 37 people who were small factory owners were definitely covered under the "Gadgil Assurances" and that they were accommodated in 1954 in Motia Khan area when they were evicted from Jhandewalan area, as that area was cleaned up.

11. In reply to a further question, the witness stated that there were no second or third phases of development scheme for the Motia Khan area in which 488 and 280 plots were proposed to be developed, as submitted by members of the Association. The total area of Motia Khan was 34.2 acres. 14 acres had already been given to 80 shops,—he added.

Continuing his evidence, the witness stated, the Master Plan had been divided into 136 zones. The zonal plan for the particular area had been drawn up and accepted by the Delhi Development Authority, but the final approval of Government was held up as some other points cropped up on which consideration was pending. It was about to be sent to the Government of India for its approval. The detailed plan for the Motia Khan area had also been drawn up and it was final.

12. On being asked to clarify the point regarding the claim of the representatives of the Association about their deposits of Rs. 15 lakhs as earnest money having been held up with the Delhi Development Authority, the witness stated that these people had applied for plots in the Rewari Industrial Lines Warehousing Scheme and had to deposit earnest money individually at the rate of 10 percent. The witness had no information about the exact total of the earnest money deposited. He also confirmed that no interest was payable on the earnest money so deposited.

He further stated that this earnest money was deposited by those people in December, 1966. 3000 plots were ready for occupation at the time.

Referring to the apprehension expressed by the traders and their demand for preservation of the present "compact market" in the

centrally located Motia Khan area, the Chairman asked the witness to elucidate the assurance the Government had given to these people in clear terms. In reply, the witness stated that he was not aware of what the traders meant by the "compact market". He, however, reiterated that Government had accepted their demand for the retention of their offices and show-rooms in the commercial area within the market area, their godowns being shifted towards Rewari Lines. There could be no scope for apprehension as the agreement was reached in the presence of the Minister. It had been recorded in the minutes, a copy of which had already been received by the witness and he hoped that the same might have in the meantime been received by those people also. The witness reiterated Government's above assurance before the Committee. At the same time, the witness expressed the misgivings of Government about the intention of those people as they had not kept their part of the promise in withdrawing the cases so far from the court.

14. Explaining the point in regard to the present demand of those people that they were covered under the "Gadgil Assurances" and that they were entitled to alternative accommodation, the witness stated that it was the objective of Government to resettle those people properly and to meet their demands to the full. But if the question of their being covered under the "Gadgil Assurances" was raised, this would give rise to certain difficulties. The witness had still his doubts whether those people were covered under the "Gadgil Assurances".

Till 1954, Government land was cleared of unauthorised occupants under a general clearance scheme and only those occupants who were covered under the "Gadgil Assurances" used to be provided with alternative accommodation. Thereafter, in July, 1960 a survey was conducted of squatters on the Delhi Development Authority land. The witness stated that the squatters whose names were recorded in that survey would be duly provided with alternative accommodation by Government.

15. Thereupon, the Chairman observed that the Administration was prepared to do whatever those people were demanding. In their evidence the previous day, their representatives of the Association conveyed to the Committee their pleasure and satisfaction at the assurance given by Government in regard to providing them with office and show-room facility in the present site. The point whether or not they were covered under the "Gadgil Assurances" then remained only an academic one. The Government had not also asserted that those people were not covered under the "Gadgil

Assurances". The matter came up before the Committee for the first time. Now that the Government were meeting the demands of those people to their satisfaction, the Committee felt relieved and would thus have no reason to pursue the matter any further.

*[The witnesses then withdrew]*

16. The Committee decided that the evidence given before them in this case might be published *in extenso* and laid on the Table of the House along with their Report.

*The Committee then adjourned.*

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## V. Twenty-Fourth Sitting

The Committee met on Friday, the 26th July, 1968 from 16.00 to 16.35 hours.

### PRESENT

Shri Atal Bihari Vajpayee—*Chairman*

### MEMBERS

2. Shri Maharaj Singh Bharati
3. Shri Abdul Ghani Dar
4. Shri Samar Guha
5. Shri S. R. Rane
6. Shri A. S. Saigal.

### SECRETARIAT

Shri M. C. Chawla—*Deputy Secretary.*

2. The Committee took up consideration of Memorandum No. 10.

#### *Memorandum No. 10.*

*Assurance given in reply to USQ. No. 4015 on the 29th June, 1967 regarding receptions hosted by an officer of the Planning Commission—item No. 11 of Supplementary Statement No. V for Second Session, 1967 as laid on the Table on the 16th November, 1967 in implementation thereof.*

3. In reply to Unstarred Question No. 4015 on the 29th June, 1967 by Shri Atal Bihari Vajpayee and others asking whether an officer of the Planning Commission had been hosting scores of receptions, lunches and dinners without the approval of the Secretary, Planning Commission, etc., an assurance was given by the Minister of Planning (Shri Asoka Mehta) that the matter was being enquired into (reproduced in Appendix No. I to Minutes of the Thirteenth Sitting held on 22nd January, 1968). On the 16th November, 1967, a statement (item No. 11 of Supplementary Statement No. V showing action taken in implementation of assurances pertaining to Second Session, 1967) was laid on the Table of Lok Sabha in fulfilment of that assurance, which was duly considered by the Committee at the Thirteenth Sitting held on the 22nd January, 1968. At that sitting the Committee felt that the full facts of the enquiry made in the matter had not been furnished by Government. They, therefore, desired that a copy

of the Enquiry Report in the matter together with the designation and rank of the officer who conducted the enquiry and other relevant documents should be called for from the Planning Commission *vide* Minutes (CGA) dated 22nd January, 1968, para 3(iii).

The Committee were apprised by the Chairman of the contents of a confidential note of the Planning Commission furnished in response to their above direction. The Committee agreed to drop the assurance in question.

4. The Committee, thereafter, took up consideration of their draft Third Report. After some deliberations, the Committee adopted the Report. The Committee decided that their Third Report might be presented to the House on the 7th August, 1968. The Committee further directed that the evidence taken by them on the 1st and 2nd July, 1968 in connection with the representations received from the Refugees Old Motor Parts Dealers Association of Motia Khan should also be laid on the Table on the same day.

5. The Committee authorised the Chairman, and, in his absence, Shri Abdul Ghani Dar to lay the Evidence and also to present the Third Report to the House on the 7th August, 1968.

*The Committee then adjourned.*

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## APPENDIX I

(Vide para 5 of Report)

*Statements of outstanding assurances pertaining to Third Lok Sabha*

Sl. No.	Reference and date	Subject	Promise made	Remarks
1	2	3	4	5

*Seventh Session, 1964*

(PLANNING COMMISSION)

*Mahalonobis Committee Report*

1. SQ. No. 68, on 13-2-1964 Supplementary Question by Shri Bhagwat Jha Azad.  
Referring to the reply given to SQ. No. 417 on 2-9-63 asked whether the commitment to place the Mahalonobis Committee report on the Table would stand.

*Tenth Session, 1964*

(MINISTRY OF EDUCATION)

2. USQ. No. 485, on 25-11-1964 by Shri Umanath and others.  
(a) the total amount of grants received from U. S. Official and non-Official agencies by the various educational Institutions in India during 1960-61, 1961-62, 1962-63 and 1963-64;  
(a), (b) and (c) The information is being collected and will be laid on the Table of the House in due course.  
Kept pending  
*Vide Minutes (CGA), 29.9.1967, Para 5(iv).*

(b) whether Government were consulted before these grants were offered; and

(c) whether Government have any proposal to ensure that the grants are utilised properly.

*Twelfth Session, 1965*

(MINISTRY OF EDUCATION)

*Aligarh Muslim University (Amendment) Bill*

3. Discussion on the Aligarh Muslim University (Amendment) Bill on 6-9-65.

The Aligarh Muslim University (Amendment) Bill. Promised that a permanent Bill would be introduced as soon as possible.

*Thirteenth Session, 1965*

(MINISTRY OF COMMERCE)

*Import Licence and Quota Certificates*

4. SQ. No. 180 on 12-11-1965 supplementary by Shri Yashpal Singh.

Loss of some blank import licence and quota certificate forms in the office of the Joint Chief Controller of Imports and exports, Bombay. During supplementaries the Minister promised that after the investigation had been completed, the result would be placed before the House.



*Fourteenth Session, 1966*

(MINISTRY OF COMMERCE)

*National Export Policy*

Part (a) of the question:

The broad lines of the policy have since been evolved. It is proposed to place the resolution before both the Houses of Parliament in the next session.

whether the proposed National Export Policy has since been finalised.

5. USQ. No. 4705 on 29-4-1966 by Shri D.C. Sharma and Shri S.M. Banerjee.

(MINISTRY OF FINANCE)

*Foreign collaboration in Indian Industry*

I have said that the Reserve Bank is collecting it and we will try to get the information in that manner.

Whether the Minister would collect the information in due course and let the House be acquainted as to what the real result of these foreign Collaborations in Indian Industry has been.

6. SQ No. 1012 on 7-4-1966 Supplementary Question by Shri Mahavir Tyagi.

(MINISTRY OF FOOD, AGRICULTURE, COMMUNITY DEVELOPMENT AND COOPERATION)

*Installations of Pumping Sets*

(a), (b) and (c) The required information is being collected from

what is the total number of pumping sets installed for minor irrigation

7. USQ. No. 4760 on 3-5-1966 by Shri

M.L. Dwivedi, and others.

purposes throughout the country during the First, Second and Third Five Year Plans together with the number of actually working and non-working sets.

(b) the steps taken to repair and restart the pumping sets which are not working or towards their installation at other places; and

(c) the number of pumping sets, State-wise, to be installed during the Plan.

Fourth.

(MINISTRY OF STEEL, MINES AND METAL)

*Firm Amin Chand Pyarelal*

8. Supplementary Question on SQ. No. 1669 on 13-5-1966 by Shri Manoharan.

"I am asking a specific question and I request you to help me in getting a proper reply. Is it a fact that his firm Amin Chand Pyare Lal entered into collaboration with the Government of Kashmir for a ceramic unit in Kathua in Jammu province and G.C. sheets, cement and other raw materials were supplied to this firm on the recommendation of the Jammu and Kashmir Government by the Director of Supply of the State Government through the Iron and Steel Controller of the Government of

the State Governments and will be placed on the Table of the Sabha as soon as it is received from them.

After some interpellations, Shri Raghuramaiah (Minister of Supply, Technical Development and Materials Planning) replying:

"This question, which has been raised, relates to certain details which are not available. The Iron and Steel Controller has to be consulted before I can give the information. I shall lay a statement on the Table after ascertaining the facts."

Kept pending, *vide* Minutes (CGA)-17-7-1967, para 6(ii).

India, through a permit which far exceeded the quantity actually used and the excess thus obtained was sold in black-market at an exorbitant rate by this firm, making a profit of several lakhs? I want to know whether Government is prepared for a physical check-up of the roofing of the factory and take whatever action is called for?"

*Fifteenth Session, 1967*

(MINISTRY OF COMMERCE)

9. SQ. No. 543 on 19-8-1966 Supplementaries by Sarvshri Maurya and Umanath.

When the Mills have been taken over by Government and whether the conditions in the Mills are better than before the take-over by Government or worse.

It is only a month since it is taken over. I cannot say whether its condition has improved. But, certainly, I can give this assurance that all workers will be re-employed. All the workers will be re-employed on the former terms.

Treated as an assurance, *vide* Minutes (CGA) 24-10-67, para 7.

(MINISTRY OF EDUCATION)

*Scientists invited from Abroad*

10. USQ. No. 1097 on 3-8-1966 by Shri A. N. Vidyalkar.

(a) and (b) The information is being collected and will be laid on the Table of the House.

(a) what is the number of scientists, technical experts and specialists invited by Government from abroad for consultations, lecture tours, study and report or for the purpose of scientific and technological collaboration, during the years from 1963 to 1966, year-wise and country-wise, and the duration of their stay in India along with the expenditure in Indian and Foreign currency, separately; and

(b) the number of Indian Scientists, technical experts or Specialists invited by the foreign countries and expenditure, if any, incurred by Government thereon.

(MINISTRY OF EXTERNAL AFFAIRS)

*(Rev. Michael Scott)*

11. SQ. No. 306 on 8-8-1966—Supplementary by Shri Tyagi and Shri Daji and observations by the Speaker.

Papers Recovered from Rev. Michael Scott.

Promised to place in the Library 44 letters recovered from Rev. Michael Scott.

Kept pending *vide* Minutes (CGA)—20-9-1967, para 5(v).

(MINISTRY OF FOOD, AGRICULTURE, COMMUNITY DEVELOPMENT AND COOPERATION)

*Wells and Tanks in Third Five Year Plan Part (a) of the question*

12. USQ. No. 1662, on 9-8-1966 by Shri Linga Reddy and Shri P. R. Chakraverti. What is the amount so far spent on minor irrigation work of wells and tanks in the Third Five Year Plan along with the results achieved. The required information is being collected from the States/ Union Territories and will be placed on the Table of the Sabha as soon as it is received from them.

*Sixteenth Session, 1966*

(MINISTRY OF HEALTH AND FAMILY PLANNING)

13. USQ. No. 2975, on 1-12-1966 by Dr. Kohor. (a) what is the number of Registered and licenced Allopathic, Homoeopathic and Unani manufacturing Pharmacies in the country, State-wise; (b) whether any such pharmacy or pharmacies are being run by the Central or State Government; and (c) if, so, the amount already spent during the last 3 years and the allotment made for the next year. The information is being collected from the State Governments/Union Territories and will be laid on the Table of the Sabha in due course.

*Ayurvedic and Unani Medical Colleges*

- 14. U.S.Q. No. 2978 on 1-12-1966 by Shri Ramachandra Ulaka  
 (a) What is the number of Ayurvedic and Unani Medical Colleges established in the country maintained by the Central/State Governments, State-wise, with dates of establishment of the same; and  
 (b) the recurring and non-recurring expenditure for the last 3 years.

(MINISTRY OF HOME AFFAIRS)  
*Firm Aminchand Pyarelal*

- 15. USQ. No. 111 on 2-11-1966 by Shri Kishan Patmayak and Shri Madhu Limaye.  
 (a) whether various Government agencies have collected information or made inquiries about certain firms of Aminchand Pyarelal Group which have been black-listed or otherwise penalised;  
 (b) if so, for how many times, in which years and by which Central Government Departments or State Governments since Independence; and  
 (c) the results of this inquiry.

(MINISTRY OF RAILWAY)

- 16. USQ. No. 482 on 4-11-1966 by Shri A.K. Gopalan and others.  
*Spotting of Cement bags in open wagons*  
 Referring to the reply given to Unstarred Question No. 1531 on the (a) to (d) The information is being collected and will be kept pending *vide* Minutes (CGA)-

1	2	3	4	5
		5th August, 1966 and asking :	laid on the Table of the Sabha.	8-5-1967, para 4(ii) also see Minutes (CGA)-20-9-1967, para 6 (i).
		(a) whether the enquiry on the spoilling of 17332 bags of cement in June, 1966 in open railway wagons meant for Pong Dam construction work is over ;		
		(b) if so, the findings thereof;		
		(c) whether the authorities responsible for this loss have been punished by Government; and		
		(d) if so, the nature of the punishment awarded.		

APPENDIX II

(Vide para 7 of Report)

THE REFUGEES OLD MOTOR PARTS DEALERS ASSOCIATION  
(REGD.) JHANDEWALAN ROAD, MOTIA KHAN,

New Delhi, 21st March, 1968

Shri M. C. Chawla,  
Deputy Secretary,  
Lok Sabha,  
Lok Sabha Secretariat,  
NEW DELHI-1.

Dear Shri Chawla,

Apropos our telephonic talks and subsequent reference on the matter from Shri Ishaq Sambhali, M.P., I hasten to enclose a copy of the 'Petition addressed to the Chairman, Committee on Governmental Assurances.'

Similar copies of petitions have been forwarded to the Chairman and Members of the Committee at their respective home addresses.

We hope you will oblige us by arranging to put it for consideration the next meeting of the Committee.

With regards,

Yours sincerely,

(Sd) HARBHAJAN SINGH SODHI,  
*President.*

Copies with complements to:—

- (1) The Chairman, Committee on Governmental Assurances,  
Lok Sabha Secretariat, New Delhi.
- (2) All the Members of the Committee on Governmental Assurances of Parliament at their residential addresses.



THE REFUGEES OLD MOTOR PARTS DEALERS ASSOCIATION  
(REGISTERED)

JHANDEWALAN ROAD, MOTIA KHAN,

*New Delhi, 21st March, 1968*

Dear friend,

You are aware that we are defending our legitimate claim of permanent settlement in Motia Khan which is the biggest market of its kind in the country, of course, in its own right.

Since it is more a peoples' problem and considerable potentialities to be taken as a 'PUBLIC CAUSE', I have every reason and justification to invite you to make it a matter of common interest.

I, therefore, approach you on behalf of thousands of working traders seeking your lively and active support and guidance.

Please find enclosed herewith a review of the case of Motia Khan Market Old Motor Part Dealers which is self-explanatory. The case is not only just but genuine and deserves your kind and favourable consideration.

I am confident you will kindly exercise your influence to help finding out a judicious and legitimate solution of this vexatious problem.

With greetings and regards,

Yours sincerely,

(Sd) HARBHAJAN SINGH SODHI,  
*President.*

MOTIA KHAN MARKET OF OLD MOTOR PARTS DEALERS ITS  
DEMOLITION—A REVIEW OF OUR CASE

The Delhi Administration and the Delhi Development Authority are having a clearance programme and as such demolition work in the Motia Khan area is being carried out recklessly regardless to the consequences of their improper actions. The authorities have taken an unilateral decision and started demolition causing maximum harrasment to the occupants. Since the demolition is being done in disregard to the human sufferings and invariably has affected thousands of thousands local populace, it has been resolved to seek your support to make it a common cause and express people's resentment

against the said arbitrary action which smack of serious impropriety. The authorities it appears, believe in taking the law in their own hands with the high-handed show of force which is nothing but a calculated act of repression and harrasment against a large section of law-abiding peaceful working traders.

2. The problem of permanent rehabilitation of the old motor part dealers already settled in this area has become a vital issue and the Administration which owe some basic responsibilities to rehabilitate them is never supposed to behave in a manner which is against all cannons of decency and decorum and also when the greivances are just and legitimate. The administration has resorted to coercive methods and adopted unprecedented repressive policies. The traders have been subjected to highly unjustifiable and uncalled for treatment and it is high time for the intervention of the representatives of the people and the Press and to persuade the authorities to refrain from persuing the policies of high-handedness depriving the traders of their source of livelihood.

3. The authorities, it appears, have refused to be just in dealing with the problem and as such using all force to clear the area in a manner which is not at all commendable. To the utter astonishment of the aggrieved persons, about 800 strong armed police accompanied by 300 demolition labourers, bull-dozers and tear-gas squad alongwith mounted police started extensive demolition in a total violation of the fundamental rights guaranteed in the Constitution.

4. It may be well noted that the traders have been hitherto very co-operative with the authorities and all persuasive efforts were being made to explore possibilities to find out an amicable solution of the problem but for the reasons best known to them, they abruptly decided to carry on their plan of clearance of the area. Therefore, we have no option except to seek your cooperation and to ensure immediate redress enabling us to seek justice and fairplay.

#### *A RESUME*

5. Motia Khan is an area bounded by Desh Bandhu Gupta Road, Mundewala Road, Idgah Road and Rani Jhansi Road. The entire area is in the occupation of motor part dealers and others trading in Scrap Steel and Machinery parts. The traders are having their godowns and showrooms attached to their offices.

6. The area-in-question was initially inhabited by squatters originally settled on the land outside Ajmere Gate and refugees from West Pakistan who developed the market and started their business.

They have been paying property tax and 'Tehbazari' to the Municipal Corporation, rent to the Custodian and 'damage charges' as tax to the Delhi Development Authority. They have so far paid Rs. 72 per Sq. yard as damages whereas this land has already been sold to others @Rs. 25 and Rs. 30 per Sq. yard.

7. During the last 20 years many development schemes were prepared but underwent endless changes. The first scheme was started in 1954 under which 80 plots of 500 to 600 Sq.Yds. were drawn, out of which 37 were allotted to local dealers. It was further proposed to allot 488 and 250 plots in the second and third phases of the said Scheme, but for the reasons only known to the Administration second and third phases were never implemented.

8. Then came the Draft Master Plan in 1962 wherein 15 acres were reserved for the local traders. 43 acres were reserved for flatted factories of which traders were assured of the ground floor for showrooms and offices. 7 acres were earmarked for Truck terminal. Since the ear-marking of the truck terminal was objected to by the Delhi Municipal Corporation and others concerned, the said area of 7 acres of land was obviously to be used for the commercial purposes. So adding the said area, the total land comes to 65 acres.

9. And then Zone A7 Scheme came into being. This is the same scheme which is in operation today. It has not even undergone in its preliminary stages and the lay-out of the same has not been drawn-up as yet. Required funds for construction purposes as envisaged have also not been budgeted. Under these circumstances, it is beyond our imagination why the authorities have resorted to demolition when there is neither any arrangement for reconstructing the area nor any alternate plan to make use of the land.

10. It may be very relevantly noted that the then Housing Commissioner of Delhi had advised the Motia Khan Traders to shift their warehouses in Rewari Line Industrial Scheme as recommended under the plan and asked the traders to have their offices and showrooms in the existing area. He explained that owing to insufficient land to meet the entire demand of the traders, it was not physically possible to allot them big size plots for godowns in the existing area. Consequently, 500 of them applied for warehousing plots and about Rs. 15 lakhs were deposited by them as earnest money. The said money is still lying with the Administration without any interest and is virtually blocked.

11. The traders are unanimously agreed to shift their godowns in the area earmarked in the Draft Master Plan for Warehousing purposes but they are awaiting the fate of the pending applications.

As stated, they are prepared to shift their godowns in the proposed site but want to retain their show-rooms and offices on the present plots naturally because of the commercial value such 'compact' markets have. Delhi is mainly a big distribution centre and it has been able to achieve its targets in trade because of its 'Mandi Market Complexion'. And so they have a reasonable fear that Motia Khan market which deals in typical consumer commodities, if forced to be scattered, is bound to ruin. Therefore, the justification of having a "compact market" in a centrally located area is very much there and so the total re-settlement of the market in a far off place as envisaged by the authorities will totally fail to attract the indigenous consumers.

12. There are about 600 dealers and there is enough land to accommodate all of them by allotting a plot of 150 sq. yds. each without disturbing the physical demarcation as embodied in the Master Plan.

13. The dealers are prepared to construct their show-rooms and offices at their own cost and also in accordance with the lay-out plan approved by the concerned authorities. They will be equally glad if others are also accommodated and their need is catered but only after requirements of the local dealers are met in full.

14. The traders are very much dissatisfied the way authorities are handling the vexatious problem. The resettlement of the traders of Jama Masjid area on the very land which has been forcibly recovered from the original occupants having been unilaterally removed is a clear case of biased and partisan attitude of the authorities. On the one hand the local dealers are being thrown out, and on the other the outsiders belonging to the same trade are indiscriminately given allotments of the plots in the same area.

15. The arbitrary action to demolish the existing structures will not only ruin the trade totally resulting in revenue losses of crores of rupees but would also deprive the Nation of valuable savings of foreign exchange and also earnings out of Export of goods produced by them.

16. It may not be out of place to mention that the area was originally unpopulated and unlevelled and was gradually inhabitated by these traders. Their claim for allotment and regularisation of the plot is genuine and just and in this context the assurances made by the then Deputy Prime Minister and the then Union Minister of Rehabilitation (Late Sardar Vallabh Bhai Patel and Shri N. V. Gadgil) have their own weight.

17. It is, therefore, requested that you as the guardian of the infact democracy and upholder of the concept of the 'Rule of Law' may kindly take note of this high-handedness which is designed to deprive the traders of their very legitimate source of livelihood.

*The Refugees Old Motor Part Dealers Association*—A representative body of local traders is very much alive and seized of the problem and has resolved to defend the rights of its members till their genuine grievances are met. They have pledged to fight peacefully for their legitimate rights adopting all constitutional means and as such your patronage, cooperation and guidance will be very much needed at all times. And so, it is hoped, you yourself would kindly assess the propriety of the claim and take-up the cause which is more a public in nature.

With greeting.

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To

The Chairman,

Committee on Government Assurances of the Parliament,  
New Delhi.

Sub:—*Petition on behalf of Traders of Motia Khan covered under the Gadgil Assurances. Immediate relief sought for.*

Sir,

For and on behalf of the petitioners occupying the land in Motia Khan area and residing there carrying on the business since the partition of the Country in 1947, I have the honour to submit herewith a petition demanding immediate relief under the Assurances given in the Parliament on 29th of September, 1951 by late Shri N. V. Gadgil, the then Minister for Works, Production and Supply to the Government of India.

1. That the petitioners are displaced persons who have been residing in the area and carrying on their business after having been migrated to Delhi from Pakistan alongwith the members of their families. They started dealing in old motor parts alongwith other displaced persons and after having occupied an underdeveloped site in dispute, constructed shops in which they are still carrying on their business of the sale and purchase of old motor parts and other accessories.

2. That the Delhi Improvement Trust did not object to the occupation of the site and constructions thereon. Moreover, the Improvement Trust started recovery of damages by way of rent and thus recognised and acknowledged the displaced persons as rightfully entitled to the land. They have been in exclusive possession of the land since 1948 and have been paying damage charges @ Rs. 37|8- per hundred sq. yds. per month regularly. They have themselves developed the land.

3. That the petitioners are now being removed forcefully in disregard to the Assurances solemnly made by the Government in the Parliament that where, any displaced persons, without being authorised to do so, has occupied any public land or constructed any building on such land before the 15th of August, 1950, such a person shall not be evicted unless alternative accommodation is provided on a developed laid as far as practicable near the place of business or employment. The said Assurances have always been recognised and acknowledged by the Government of India as being binding on the authorities.

4. That later-on the Government undertook to provide alternative accommodation to other persons also who had occupied similar sites even until July, 1960. Therefore, the Delhi Administration and Delhi Development Authority are undoubtedly covered under the Assurances and bound by the same.

5. That since no alternate developed accommodation near the place of business has been provided according to the said Assurances, the Administration and the Authority have no right, whatsoever, to demolish the structures and shops of the petitioners. Furthermore, they have no basis to interfere with or disturb the possession of the petitioners over the constructions of shops etc.

6. That the alternative accommodation was to be provided on developed land near the place of business or employment of the displaced persons. The authorities have not only refused to fulfil the commitments made as referred above, they have resorted to unilateral action by starting demolitions of the shops.

7. That there is a large piece of land measuring several acres is lying vacant in the locality and other lands in the vicinity could be made available, where the petitioners and other displaced persons occupying the shops in Motia Khan could easily be accommodated but it appears they are bent upon to remove us and their actions are designed to the total denial of our legitimate rights, the petitioners are

forced to approach the Committee for the implementation of the Assurances.

8. That the refusal either to regularise the allotment of the present plots or providing alternative accommodation near the place is based on discrimination, so, the petitioners have a just cause to invite attention of all concerned towards the Gadgil Assurances which, in unequivocal terms recognised the right of the petitioners to live and carry on their business of livelihood.

A few displaced persons who were occupying the land in Motia Khan and had constructed their shops, were provided 500 to 600 sq. yards of land @ Rs. 25 to Rs. 30 per sq. yd. in Motia Khan itself whereas others have not been allotted any land. The plots so allotted were far in excess of the land they were previously occupying. Similarly, larger sized plots were allotted to Steel Furniture Dealers carrying on their business at M.M. Road and conspicuously on the same site. Also a year ago, junk dealers from Jama Masjid and other areas were allotted shops in the near vicinity as desired, but the Motor Part dealers were denied their rightful claim of having settlement in the very area which was more closed to them.

9. That 15 acres of land in Motia Khan area was specially earmarked in the Master Plan for being given to the motor parts dealers etc. spread up in that area but the same has also not been provided to the petitioners in total violation of decisions and recommendations embodied in the Plan. The said area of 15 acres referred to above, has been proposed to be utilised for certain other purposes, which is a clear case of discrimination and un-principled discretion besides arbitrary approach to solve such problems.

10. That the Advisory Board of Delhi Development Authority have recommended that the said area be utilised for the purposes of providing alternative accommodation to the motor parts dealers, but without waiting for the final result, the authorities have started dispossessing the petitioners.

11. That the petitioners and other displaced persons are in peaceful possession of the property for the last 20 years and when the Zone 7A Plan, under which the demolition operations are made, is not even finalised, how and why it has become so imperative to dislodge us from the place of our possession.

12. That the petitioners who are refugees, have occupied a track of land in Motia Khan which was an unlevelled site full of big pits and

ditches. They have developed the land themselves and affected constructions on it without any objection by the then Delhi Improvement Trust.

13. That these 600 and odd motor parts dealers have been paying property tax and 'Tehbazari' to the Municipal Corporation, rent to the Custodian and "damege charges" as tax to the Delhi Development Authority. As stated above, they have so far paid @ Rs. 72 per sq. yd. as damages whereas this land has already been sold to other, for reasons best known to the authorities, @ Rs. 25 and Rs. 30 per sq. yd.

14. That the petitioners have further been paying Income Tax, Sales Tax and Inter-State Sales Tax also to the authorities. They have repeatedly been assured for the regularisation of the plots. In order to formalise the procedure of allotment, surveys have also been carried out giving name of the, unit, address and ownership to the Delhi Development Authority. These details had also embodied principle products, total area of the present site, ground coverage and floor area of buildings, space used for warehousing, manufacturing, storage, establishment and other necessary facilities. It also contained number of employees, plan of expansion and other dates etc.

Similarly the Census of Squatters carried out by the Delhi Municipal Corporation had also collected required datas naturally in view to settle the petitioners permanently. The authorities have been issuing provisional receipts also besides other documentations.

15. That the Delhi Administration and Delhi Development Authority have already carried out some demolitions of the constructions of some of the members of the Society in utter disregard to the consequences of their unjust actions and in total defiance of the assurances made in the Parliament. The demolitions are carried out racklessly and without any regard to human sufferings and material damage. So, the petitioners have a remedy available to seek the justice in the hands of laws of the land and approach the Committee on Assurances of the Parliament to see that the Gadgil Assurances are properly looked into and given effect to.

Therefore, I request you kindly to consider the matter immediately and get the petitioners all justified protection as the authorities are still threateming to invade the petitioners' rights. The petitioners are prepared to cooperate with the authorities in the implementation of the Master Plan if some legitimate and just solution of the vexatious problem is suggested keeping the interests of the petitioners in sight.



The petitioners will be always prepared to accept a reasonable solution if intended to provide them a permanent settlement and peaceful source of livelihood.

Thanking you.

Yours faithfully,

(Sd) HARBHAJAN SINGH SODHI,

*President.*

The Refugees Old Motor Parts Dealers Association (Regd).

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APPENDIX III

(Vide para 7 of Report)

THE REFUGEES OLD MOTOR PARTS DEALERS ASSOCIATION  
(REGD.) JHANDEWALA ROAD, MOTIA KHAN

Ref. No.

Regd. A/D.

New Delhi 5th April, 1968.

Dear Shri Khadilkar,

We take liberty to submit herewith a Copy of the Memorandum sent to H.E., the Lt. Governor, Delhi for your kind perusal.

It is hoped you will kindly find time and see how you could help in finding out the solution of the vexatious problem.

Regards,

Yours sincerely,

(Sd) HARBHAJAN SINGH SODHI,  
President.

Hon'ble Shri R.K. Khadilkar

Member of Parliament

Chairman,

Committee on Private Members' Bills & Resolutions

(Parliamentary)

NEW DELHI.

Phone: 266658

THE REFUGEES OLD MOTOR PARTS DEALERS ASSOCIATION  
(REGD.)

JHANDEWALA ROAD, MOTIA KHAN.

Ref. No.

NEW DELHI 5 April, 1968.

H.E.

The Lt. Governor,

Delhi.

REGARDING: *A Representation from Motor Part Dealers  
of Motia Khan*

Sir,

We, the President and Members of Motia Khan Old Motor Part Dealers Association—a representative society of the local traders

have a privilege to submit our case and a proposal for compromise substantiated as under:—

- (1) That the area-in-question is located in Motia Khan bounded by Desh Bandhu Gupta Road, Jundewala Road, Idgah Road and Rani Jhansi Road. The disputed area is in constant occupation of us trading in old motor parts and in scrap steel and machinery parts. We are having our godowns, sale and showrooms attached with offices in the existing plots. The unlevelled land was initially inhabited by squatters settled in the land outside Ajmere Gate and later on by us (refugees migrated from West Pakistan) who subsequently developed this market and started this business. We have been paying property tax and 'tahbazari' to the Municipal Corporation, rent to the Custodian and damage charges as tax to the Delhi Development Authority. By assessing the charges proportionately, we have so far paid @ Rs. 72 per sq. yd. as damages whereas eighty plots of 500 and 600 sq. yds. of this land have already been sold by the Delhi Development Authority to others @ Rs. 25 and Rs. 30 per sq. yd.
- (2) That the Delhi Administration and the Delhi Development Authority are having a 'Slum Clearance Programme' and demolition work in this area and carrying it out recklessly. Having taken an unilateral decision, the authorities have ordered demolition work causing maximum harassment to us and we are being up-rooted from the existing area in Uttar disregard to the human sufferings and consequences.
- (3) That during the last two decades many Development Schemes were prepared to rehabilitate us but underwent endless charges. The first scheme was launched in 1954 under which above said 80 plots of 500 to 600 sq. yds. were drawn, out of which 37 were allotted to few of us. It was further proposed to allot 488 and 520 plots in the second and third phases of the Scheme, but for the reasons best known to the authorities, the second and third phases were never implemented and then came the Draft Master Plan in 1962. There was a provision in it that 15 acres of land would be made available to Motor Parts and Scrap Metal Dealers.

In the earmarked area of 43 acres which was reserved for flatted factories, the ground floor was also earmarked for commercial showrooms and offices. An additional provision of 7 acres of land in the Master Plan was for Truck Terminal and the location of the said Terminal was objected to by the Delhi Municipal Corporation and others concerned.

- (4) That the Zone 7-A Scheme which is in operation today has not even undergone in its preliminary stage. Its lay-out has also not been finalised till now and so, when there is no immediate propositions to make use of the land to be recovered by us, there seems to be no reason and advisability in out-rightly up-rooting us. It may be relevant to point that the Screening Committee of the D.D.A. has also recommended that 500 shops be constructed and be utilised for providing alternative accommodation to the motor part dealers.
  - (5) That the then Housing Commissioner of Delhi while suggesting us to shift our godowns in 'Rewari Line Industrial Scheme'—an area earmarked for ware-housing purposes in the Master Plan—had assured retention of our offices and show-rooms in the existing area. As a result, 500 of us applied for warehousing plots in the 'Rewari Line Industrial Scheme' and about Rs. 15 lakhs were deposited as earnest money under some very specific assurances.
  - (6) That we are prepared to shift our godowns in the proposed site in 'Rewari Line Industrial Scheme' but want to retain our showrooms and offices in the present area simply because of the commercial value of this centrally located and 'compact' market of Motia Khan. Delhi being mainly a big distribution centre, has achieved its targets in trade because of its 'Mandi Market Complexion' and, so, Motia Khan Market (which feeds the people in indigenous consumer commodities) is bound to ruin, if forced to be scattered. And, therefore, the displacement of Motia Khan Market in a far-off place is not only bad in planning but equally ill-conceived in proposition.
- We are prepared to construct our showrooms and offices at our own cost and also in accordance with the lay-out plan approved by the competent authorities.
- (7) That the resettlement of the dealers of Jama Masjid area on the very land (which is being forcibly cleared from

us) is a matter of serious consideration and deserves to be re-examined. On one hand we are being arbitrarily thrown out, and on the other the people belonging to the same trade are provided accommodation in the same area on the same plot. Even if, it is a temporary arrangement, as we are told, it equally amounts to total violation of the basic requisites of the Master Plan which undoubtedly aims to make Delhi Well-planned, full of civic amenities and clean Capital.

(8) That we pray that the authorities be debarred from ruining the trade resulting in revenue losses of crores of rupees and ultimately depriving the Nation of the saving of valuable Foreign Exchange and also earnings out of export of goods produced by the Members of the Association.

(9) (a) That our claim for allotment and regularisation of the plots is genuine and just and the assurances made by the then Deputy Prime Minister and the then Union Minister of Rehabilitation (Late Sardar Vallabh Bhai Patel and Shri N. V. Gadgil) assuring the displaced persons occupying such lands before the 15th of August, 1950 against eviction unless alternate accomodation is provided, are not only relevant in this context but binding too, being Governmental assurances.

(9) (b) The Government further undertook to provide an alternate accommodation to other persons who had occupied similar sites even until July 1960 and the Government is fully committed and bound by such undertakings.

It is, therefore, requested that you, as the Head of the Administration, may kindly take dispassionate note of our plight and put a check over arbitrary action of the authorities which smack of serious impropriety and which, nevertheless, is incessantly concerned with the only source of our livelihood. It is hoped, you yourself would kindly reconsider the matter keeping in view that ours is a matter to be examined and re-assessed exclusively on its own merits and not at par with other unauthorised colonies.

While seeking your honour's immediate attention to save the people from total extinction, we hope that the vexatious problem will be expeditiously looked into the settled in the people's interest.

Yours faithfully,

(Sd) Harbhajan Singh Sodhi  
President.

Copy forwarded with compliment to:—

1. H. E. Dr. Zakir Husain, President of Indian Republic, Rashtrapati Bhawan, New Delhi.
  2. Hon'ble Smt. Indira Gandhi, Prime Minister of India, New Delhi.
  3. Hon'ble Shri Y. B. Chavan, Union Home Minister, New Delhi.
  4. Hon'ble Shri Satya Narain Ji Sinha, Union Minister for Health, Nirman Bhavan, New Delhi.
  5. Hon'ble Shri Vidya Charan Shukla, Union Minister for Home Affairs, New Delhi.
  6. Hon'ble Shri S. Murthy, Union Deputy Minister for Health, Nirman Bhavan, New Delhi.
  7. Hon'ble Shri V. K. Malhotra, Chief Executive Councilor, Delhi Administration, Delhi.
  8. Hon'ble Shri Diwan Chand Sharma, Chairman Committee on petitions, (Parliamentary), New Delhi.
  9. Hon'ble Shri Atal Behari Ji Vajpai, Chairman, Parliamentary Committee on Assurances, Lok Sabha Secretariat, New Delhi.
  10. Hon'ble Dr. N. Sanjiva Reddy, Chairman, General purposes Committee (Parliamentary), New Delhi.
  11. Hon'ble Shri R. K. Khadilkar, Chairman, Committee on Private Members' Bills and Resolutions (Parliamentary) New Delhi.
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## APPENDIX IV

(Vide para 8 of Report)

GOVERNMENT OF INDIA

MINISTRY OF WORKS, HOUSING AND SUPPLY (DEPARTMENT OF WORKS & HOUSING)

No. L-15(13)/67-Vol. 11 New Delhi, the 6th June, 1968

### OFFICE MEMORANDUM

**SUBJECT:—***Representations regarding non-implementation of Gadgil Assurances given in the House on the 29th September, 1951.*

The undersigned is directed to refer to the Office Memorandum No. 12-1(19)/68-Q, dated June 3, 1968, from the Lok Sabha Secretariat, on the subject mentioned above, and to offer the following comments on the representations of the Motia Khan Traders:—

The President of the Traders of Motia Khan area has stated that the squatters in that area were covered under the 'Gadgil Assurances' and as such they should not be removed from that site. He has also stated that those traders are prepared to move to 'Rewari Line Industrial Area', provided they are allowed to maintain their show-rooms, other business, etc. on the present sites.

From the Comments received from the Delhi Administration, it is observed that the squatters of Motia Khan area, among others, were removed in the 'Clearance Operation' conducted by them on 17th and 18th February, 1968, and from 23rd February to 2nd March, 1968, when the entire western side of Rani Jhansi Road, beginning from the inter-section with Desh-Bandhu Gupta Road to its inter-section with Rohtak Road was cleared of the commercial and other squatters. The area was cleared for the expeditious construction of Rani Jhansi Road in accordance with the provisions of Master Plan and

Zonal Plan. Considerations of traffic safety and public convenience, which was hampered due to the blockage of passage, both metalled as well as unmetalled, by the Kabaries and Junk dealers, made it absolutely essential that this portion of the road was immediately constructed. For this purpose, the Delhi Development Authority would make available Rs. 2 lakhs from its Revolving Fund for the construction of the road from its inter-section with the Desh Bhandhu Gupta Road to Idgah Road. The remaining portion of the road would be constructed by the Delhi Municipal Corporation. Before their eviction, it is reported, the Delhi Development Authority had offered the Motia Khan's traders alternative plots in the Rewari Line area, but they had declined that offer and those plots are now being disposed of to others. The Jhuggi dwellers of the Motia Khan/Rani Jhansi Road (Khadda) were removed under the Jhuggi and Jhonpri Removal Scheme and they were allotted alternative accommodation under that scheme. It has also been reported that no representation was made to the Demolition Party by any affected person (refugee) to the effect that he was covered under the 'Gadgil Assurances'. This seems to be correct, because the first representation from the President of the Motia Khan Traders is dated 21st March, 1968 whereas the Clearance Operations of the area ended on 2nd March, 1968. Moreover, no representation was received from these persons earlier when this Ministry were sending comments to Lok Sabha Secretariat on the various representations for the consideration of the Committee on Government Assurances. There is also mention in the representations that they had told the Demolition squad, about their being covered under the Gadgil Assurances. If that had been done, the concerned authorities would definitely have stopped the demolitions, in accordance with the instructions issued *vide* this Ministry's Office Memorandum No. L-15(13)/87-Vol. II dated December 27, 1967. It, therefore, appears that the representation from those persons taking the shelter under the Gadgil Assurances' after the events in an 'after-thought'. Apparently, these persons now want double benefit, one by way of allotment of land in Rewari Lines and the other by retaining the sites in Motia Khan which is not possible, as, the site in Motia Khan, area was cleared for the expeditious construction



of Bani Jhansi Road in accordance with the provisions of Master Plan and Zonal Plan.

2. This Ministry have already received the Report of the Committee on Government Assurances on the "non-implementation of the 'Gadgil Assurances' ". That Report is under examination and the decision taken on that Report would also *mutatis mutandis* apply to these persons, in case they fall under that category.

(Sd) P. D. GARG,

*Deputy Secretary to the Government of India*

To

The Lok Sabha Secretariat,  
(Shri M. C. Chawla, Dy. Secretary),  
Parliament House,  
New Delhi.

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## APPENDIX V

(vide para 11 of Report)

*Copies of judgments of the Estate Officer of the Delhi Development Authority as submitted by the Refugees Old Motor Parts Dealers Association, Motia Khan, New Delhi.*

(i)

### ORDER

Mahesh Dass is present and has produced issue voucher dated 19th December, 1949 which stands in his name at Motia Khan, Delhi address (Ex-D1). He is, therefore, to be assessed at pre-August, 1950 rates from 1st January, 1952 to 30th June, 1958 according to which the demand comes to Rs. 265.20 nP. and is confirmed accordingly. Let it be paid in regular monthly instalments of Rs. 30 on the 27th of each month. Form F be issued accordingly.

(Sd.) AMBA PARKASH,  
Estate Officer II,  
26-10-1959

Attested

(Sd.)  
Superintendent  
(Damages Section)  
Delhi Development Authority.

(ii)

(Copy of Estate Officer's order dated 2nd December, 1959).

### ORDER

Bakshi Lal and Kharati Lal S/o Sohan Lal were issued a notice under section 7(2) for Rs. 4,095 for being in unauthorised occupation of 350 sq. yds. in Jhandewala for the period 1st January, 1952 to 30th June, 1958. Khairati Lal filed an objection against the area and the rates. The Supervisor was deputed to measure the area and in his report dated 19th September, 1959 it is mentioned that only 150 sq.

yds. is in his possession. He has further reported that 62 sq. yds. is in possession of Kartar Singh and 83 sq. yds. in possession of Narsingh Das. Khairati Lal has produced before me a postal card (exhibit D-I) which bears the seal of 9th January, 1950. It shows that he is a pre-August, 1950 occupant and is to be assessed as such. Demand for 158 sq. yds. at pre-August, 1950 rates comes to Rs. 616.20 nP. Let this amount be paid in two instalments of Rs. 308.10 nP. on the 20th of December 1959 and 20th January, 1960 respectively. Order in form 'F' be issued accordingly.

2. Supdt. Damages Section will see that notices under section 7(2) are issued against Kartar Singh and Narsingh Das for 62 sq. yds. and 83 sq. yds. respectively.

(Sd.) AMBA PARKASH,  
*Estate Officer,*  
2-12-1959

Attested

(Sd.)

Superintendent  
(Damages Section)  
Delhi Development Authority.

(iii)

### ORDER

Kartar Singh was issued a notice under section 7(2) for Rs. 725.40 n.P. for being in unauthorised occupation of 62 sq. yds. in Jhandewala for the period 1st January 1952 to 30th June, 1958. He filed an objection claiming pre-August, 1950, rates. In Support of this claim he has produced a card Ext. D-1 bearing postal seal of January, 1950. It goes to show that he is a pre-August, 1950 occupant and is therefore to be assessed as such. The demand at pre-August, 1950 rates comes to Rs. 241.80 and is confirmed accordingly. Let it be paid in regular monthly instalments of Rs. 60 by the 2nd of each month. Orders in form 'F' will issue accordingly

(Sd.) AMBA PARKASH,  
*Estate Officer,*  
26-4-1960

Attested

(Sd.)

Superintendent  
(Damages Section)  
Delhi Development Authority.

(iv)

**ORDER**

Sahib Singh was issued a notice under section 7(2) for Rs. 1345.50 nP. for being in unauthorised occupation of 115 sq. yds. in Jhandewala for the period 1st January 1952 to 30th June, 1958. He filed an objection that he is in possession of one plot only for which he has already been assessed in file No. L.17 (1039)53. An enquiry was made from the Tehsildar and he has reported that the area of the site under unauthorised occupation is 294 sq. yds. out of which assessment has been made for 171 sq. yds. in file No. L.17(1039)53 and D.4 (11)59 and that further assessment is to be made for 121 sq. yds. Jaswant Singh s/o Sahib Singh is present today and admits the area reported by the Tehsildar Nazul. He further requests that the assessment should be made at pre-August, 1950 rates at which assessment has been made in the other two files. I find that in the other two files assessment has been made at pre-August, 1950 rates; therefore, in the present case too, assessment will be made at the same rate. The demand for 121 sq. yds. at pre-August, 1950, rates comes to Rs. 471.90 nPs. and is confirmed accordingly. Let it be paid in regular monthly instalments of Rs. 50.00 by the 10th of each month. The instalments are fixed subject to the condition that if the assessee fails to pay any instalment the whole amount will be recovered in lump sum. Order in form 'F' will issue accordingly accompanied by a copy of this order.

(Sd.)

*Estate Officer,*

29-12-1960

**Attested**

(Sd.)

**Superintendent**

(v)

**ORDER**

Shri Harbhajan Singh Sodhi respondent was issued a notice under section 7(2) of the Public Premises (Eviction of Unauthorised Occupants) Act, 1958 for recovery of damages worth Rs. 1514.70 nP. for being in unauthorised occupation of 102 sq. yds. of land situated at

Jhandewala Estate for the period from 1st January, 1954 to 31st March, 1962. The respondent is already assessed to damages for 102 sq. yds. upto 31st March, 1961 at pre-August, 1950 rates vide form 'F' of file No. D15(51)57 pt. (form F shown to me by the respondent). Shri Om Parkash Patwari has also deposed that the present file and file No. D15(51)57 pt. relate to one and the same site. As the respondent is already assessed to damages upto 31st March, 1961 at pre-August, 1950 rates, therefore he should be assessed to damages from 1st April 1961 to 31st March, 1962 at the same rate. I therefore reduce the demand of damages from Rs. 1514.70 nP. to Rs. 61.20 nP. and confirm the latter. The respondent is directed to pay the latter reduced amount in lump sum on 17th September, 1962.

Order in form F be issued accordingly.

(Sd.)

*Estate Officer.*  
17-9-1962.

File No. D15(51)57 pt. be linked with this file.

(Sd.)

*Estate Officer.*  
17-9-1962.

Attested

(Sd.)

Administrative Officer  
Delhi Development Authority.

## APPENDIX VI

(vide para 18 of Report)

*Letter dated June 10, 1968 from the Chief Executive Councillor of Delhi to the President, the Refugees Old Motor Parts Dealers Association (Regd.), Jhandewalan Road, Motia Khan New Delhi—copy as submitted to the Committee.*

संख्या—3/हि०प्रा/मु०का०बा/68-9471

मुख्य कार्यकारी पार्षद,  
दिल्ली प्रशासन,  
दिनांक 10 जून, 1968।

प्रिय श्री सोढी जी,

आपका पत्र दिनांक 30 मई, 1968 प्राप्त हुआ। मुझे सूचित किया गया है कि स्वास्थ्य मंत्री श्री सत्य नारायण सिन्हा जी द्वारा आपकी इच्छानुसार निर्णय कर दिया गया है। जैसे ही यह मामला दिल्ली विकास प्राधिकरण को रिपोर्ट किया जायेगा, इस पर अवश्य ही सहृदयतापूर्वक विचार किया जायेगा।

सधन्यवाद,

भवदीय,  
ह०  
(बिजय कुमार मलहीत्रा)

श्री हरमजन सिंह सोढी,  
प्रधान,  
वी रीफ्यूजी मोल्ड मोटर पार्ट्स डीलरस एसोसिएशन,  
झण्डेवालान रोड,  
मोतियाखान,  
नई दिल्ली।

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