

[Shri Sri Hari Rao]

factual information on important national and international matters.] (28)

“That the demand under the head Ministry of Information and Broadcasting be reduced by Rs. 100.”

[Need to ensure authenticity of news before including it in news bulletins of AIR and Door-darshan.] (29)

“That the demand under the head Ministry of Information and Broadcasting be reduced by Rs. 100.”

[Need to encourage professionals instead of bureaucrats in the production and management of Doordarshan programmes.] (30)

“That the demand under the head Ministry of Information and Broadcasting be reduced by Rs. 100.”

[Need to increase monthly remuneration of representatives of the PTI in the districts from Rs. 25/- to Rs. 500/- per month and also to provide them telephone facilities.] (31)

“That the demand under the head Ministry of Information and Broadcasting be reduced by Rs. 100.”

[Need to allot adequate time on T.V. to promote agricultural programmes particularly relating to dryland farming and pulses.] (32)

“That the demand under the head Ministry of Information and Broadcasting be reduced by Rs. 100.”

[Need to telecast “Today in Parliament” in regional languages from regional centres.] (33)

MR. CHAIRMAN: Mr. Rao, you may continue your speech later. Now we take up Half-an-Hour Discussion. Shri T. Basheer.

HALF-AN-HOUR DISCUSSION  
POLICY ON URBAN LAND  
CEILING

18.02 hrs.

[English]

SHRI T. BASHEER (Chirayinkil): Sir, I am here to raise a discussion on the points arising out of the answer given by the Minister of State in the Ministry of Urban Development on 6th April 1987 to Starred Question No. 557 regarding policy on urban ceiling.

Ceiling on urban land is a very important subject. I should say that Government must have a clear-cut policy regarding it. But I am sorry that at present Government does not have a clear-cut policy regarding it. But I am sorry that at present Government does not have a clear-cut policy, or a good perspective regarding this subject. This is an area where Government's effective intervention is required. The reasons for this are very clear.

18.03 hrs.

[MR. DEPUTY SPEAKER *in the Chair*]

The first aspect is that a few individuals own a major portion of urban land. There are some surveys through which I have got an idea about the extent of concentration of urban land in the hands of a few persons. One study has shown that in Bombay, 55% of the vacant urban land is owned by 91 individuals. So, the gravity of the problem is very clear. The second aspect is the imperfect land market situation existing in urban areas. The necessity to bring down prices of urban land is a matter of concern to all of us. The third aspect is that Government has failed to acquire and generate vacant land for the housing of economically weaker sections and low income groups. Their access to this urban land is very poor. So,

the inaccessibility of the poor to the urban land is another matter of concern for all of us.

So, the government must act accordingly and intervene effectively and put forward strong steps to solve this problem.

It is true that we have Urban Land Ceiling and Regulation Act 1956. The objective is the social control over urban land with a view to ensuring its equitable distribution among the various sections of the society. But I would like to say that the implementation of the Act in the States is unsatisfactory, is very poor

I would like to bring to the notice of the hon. Minister a statement of the excess land received upto 30th May, 1956, by the concerned State Government and the Union Territories; it is 3.65 lakh hectares. The number of cases scrutinised by the concerned government is 2.18 lakhs. The number of cases disposed of is 1.14 lakhs. The vacant land acquired and vested with the government is only 14,589 hectares and the physical possession taken is only 3852 hectares. The land utilized for construction of houses is only 621 hectares. Now you can see how much poor is the implementation scheme in this context. In this context, I would like to say that the implementation has been caused by granting exemption under sections 20 and 21 of the Act. In almost all the States the area of land exempted is much more the land acquired. The total land exempted is 43863 hectares and the physical possession taken by the government is only 3852 hectares. So, the picture is very clear. Usually the exemptions are granted only on grounds of public interest, undue hardship, etc. At the same time, I would like to point out to the hon. Minister that grounds have not been defined clearly anywhere in the Act. They are applied very liberally and discriminately.

What are the new proposals for the effective intervention on the part of the government in favour of the poor and disadvantaged sections of the society for their housing and other facilities in areas? Has the government done any

review regarding working of the present Act or so, what are their findings and what are the proposals to implement the Act more effectively in the future? I would like to know from the hon. Minister whether the Government propose to bring any amendments in the Act to plug the loopholes in the present Act, especially regarding the exemption clause, which I have mentioned already, Clauses 20 and 21.

I would like to know from the hon. Minister whether the Government feel that there is a lack of political commitment on the part of the State Governments, regarding implementation. If Government think so what does the Government propose to do to make the State Governments more committed in this direction?

And lastly, I would like to know whether the Government have received the report from the National Commission on Urbanisation and in that report are there some proposals regarding this ceiling on urban land? What steps does the Government propose to take on this report and what steps is the Government going to take for implementing them?

[Translation]

THE MINISTER OF STATE IN THE MINISTRY OF URBAN DEVELOPMENT (SHRIDALBIR SINGH): The hon. Member Shri Basheer has referred to Urban Land Ceiling. Basically, there are three points in Urban Land Ceiling Act.

[English]

Basically, the policy of the Government, as regards the urban land ceiling is, firstly to provide adequate land for development, and develop the land to be suitable for social housing, and secondly to have an efficient pattern of urban development and land use, and thirdly allocate resources considered necessary for further urban development.

[Translation]

I accept the suggestion given by the hon. Member. In fact, we know that the

[Shri Dalbir Singh]

work which should have done under the Act has not been done so far.

Besides, a mention has been made of Section 20. It has been said that more powers have been given to the State Governments have not been able to come forward to implement the Urban Land Ceiling Act and there are many people who have been exempted from the purview of the Act. In this connection, I would like to say that it is with this end in view that the Act is under consideration and we are going to make amendments in it.

This Act is particularly applicable to big cities, metropolitan cities and towns. So far as the poor, economically weaker sections and low income groups are concerned, the Act provides that their lands should not fall into the hands of the middlemen, so that the land could be put to a proper use, such as, construction of their houses.

Our Government is fully conscious to the points raised by the hon. Member and we accept his suggestions. The hon. Prime Minister had also mentioned in his Budget Speech that we are prepared to bring forward a legislation to give this blueprint a legal sanction.

Besides, Charles Correa Commission has been appointed which has given a number of suggestions and guidelines in its interim report. Of the 8-10 points raised by this Commission, one is that out of a total of 1.66 lakh hectares of land declared surplus, exemption has been allowed in respect of about 0.45 lakh hectares, which means that only 1.23 lakh hectares of land is left as surplus. We have sent this report to the State Governments for their comments. We are going to seek the suggestions of all State Governments on the question of effective implementation of these suggestions so that the common man could get the maximum benefit. Not only that, we share the concern of the hon. Member and feel that we have not been able to get as much land as was expected under the urban land ceiling we also feel that the target in the State sector too has not been achieved and

we have been able to take possession of only 672.11 hectares of land and our house building activity has been confined to that land only. But we want to assure you that our Act is under consideration and the Government wants that instead of these facilities being concerned by the big people, the common man should get them. We want that this being the year of Houses for the shelter-less, more houses should be built in the Central as well as State sector. So far as this Act is concerned, a number of states namely, Andhra Pradesh, Gujarat, Haryana, Himachal Pradesh, Karnataka, Maharashtra, Orissa, Punjab, Tripura and Uttar Pradesh have already enforced it. West Bengal has their own Act in this regard. Some States, viz. Assam, Bihar, Madhya Pradesh, Manipur and Meghalaya have enforced the Act after it was enforced by the Centre. We see to it that it is enforced properly. The states should also ensure its enforcement. So far as the Central Government is concerned, we see that the Act is enforced in the Union Territories and Government Areas, but at the same time, we direct the States also to see that maximum number of poor people are benefited. I would like to assure the House that very soon we are going to bring forward a comprehensive legislation so that maximum benefit could reach the common man and the enforcement of the Urban Land Ceiling Act is not confined to a few persons.

[English]

SHRI SHARAD DIGHE (Bombay North Central): I am happy to note that the hon. Minister has made it clear that the Government is going to bring amendment to Urban Land Ceiling and Regulation Act 1976 as early as possible and this has also been made clear in the Budget speech of the Prime Minister. The working of this Urban Land Ceiling Act has been put before this House just now by the hon. Member, Shri Basbeer. From that it is clear that out of the estimated excess vacant land only 1.78 per cent has been vested in Government and physical possession has been taken only of 2.30 per cent. And land used by Government for house construction is only 0.37 per cent. These are the figures given by the study of the National Commission on Urbanisation, etc.

As the Commission has mentioned that the main lacune are in sections 20 and 21 of the Act as well as in instructions issued the Central Government from time to time, I would like to know as to what the Government proposes to do currently to to achieve this object of regulating the construction of buildings on this excess land and particularly to make the excess land available as early as possible to genuine cooperative housing societies formed by citizens especially in the city of Bombay and make this surplus land available to them at the cheap rate, the rate at which you are acquiring i.e. Rs. 10 per sq. metres as far as Bombay city concerned. How are you going to make this available to the cooperative housing societies at this cheap rate so that the rates of land which are soaring in the cities like Bombay to a great extent can be arrested and housing can be made available to common man. Merely saying that we are going to make this for the poor people, does not satisfy. I would like to know what are the concrete proposals with the Government to make this surplus land available to the cooperative housing societies at a very cheap rate or at the rate at which we always acquire these lands under this Act.

**SHRI CHINTAMANI JENA (Balasore):**  
 Mr. Deputy-Speaker, Sir, I would like to seek some clarifications on the reply given by the hon. Minister. I am grateful to the hon. Minister and specially to our Prime Minister who has announced that this Urban Land Ceiling and Regulation Act will soon be made more effective. The hon. Minister in his reply has also told us that they are examining the matter. The Working Group which was appointed for the purpose has given some suggestions in their report which the hon. Minister has told us briefly. But may I know from him whether it is a fact that the surplus land in urban areas, according to the survey of 1982, would be 32,07,006 hectares? If so, I would like to know whether the Government is going to make some amendments to the Urban Land Ceiling and Regulation Act, 1976 so that the entire excess land would be available for distribution among the common people and also for utilising it for Government purposes. What is the mind of the Government on this issue, I would like to know.

I would also like to mention here that even if a minimum amount of Rs. five per metre is imposed as tax, the Government exchequer would fetch Rs. sixteen billion from this surplus land. This is a huge amount which would come to the Government exchequer. So, I would like to know what is the Government's intention in this regard. The Supreme Court, in their judgement, has categorically said that the Urban Land Ceiling and Regulation Act, 1976 would not serve the purpose for which it was passed. If we want equitable distribution of land for the common good, if we want the construction to be restricted, if we want to put a ceiling on the land holdings in urban areas, all these purposes cannot be served by this Urban Land Ceiling and Regulation Act, 1976. So, when the Government is going to bring some amending Bills, they should also give serious thought to this.

Simultaneously, I would like to know from the hon. Minister whether the Working Group has suggested any amendments to be brought to the House Control Orders because in various States the House Control Orders are not similar. In some cases they are in favour of building owners and in some cases they are in favour of people who take the house on rent. So, may I know from the hon. Minister whether the Government is thinking to amend the House Control Order also so that the Government can implement the proposed amendments more effectively? With these words, I thank you, Sir; for the opportunity given to me.

**SHRI SHANTARAM NAIK (Panaji):**  
 Mr. Deputy-Speaker, Sir, the renowned architect, Shri Charles Correia who hails incidentally from my place, Goa, has submitted a report. He has given some valuable suggestions in that report. One of the suggestions is this. Whatever land which is in excess should be declared as surplus at the earliest and those lands should be made available for housing complex and other purposes. To give effect to these suggestions, the Urban Land (Ceiling and Regulation) Act of 1980, has to be amended. Amendments are required to be made under Section 20(1) which says as follows:

[Shri Shantaram Naik]

“20 (1). Notwithstanding anything contained in any of the foregoing provisions of this Chapter :—

- (a) whether any person holds vacant land in excess of the ceiling limit and the State Government is satisfied, either on its own motion or otherwise, that, having regard to the location of such land, the purpose for which such land is being or is proposed to be used and such other relevant factors as the circumstances of the case may require, it is necessary or expedient in the public interest so to do, that Government may, by order, exempt, subject to such conditions, if any, as may be specified in the order, such vacant land from the provisions of this Chapter;
- (b) where any person holds vacant land in excess of the ceiling limit and the State Government, either on its own motion or otherwise, is satisfied that the application of the provisions may, by order, exempt, subject to such conditions if any, as may be specified in order to such vacant land from the provisions of this Chapter;”

Section 23 says like this :

“23(1). It shall be competent for the State Government to allot, by order, in excess of the ceiling limit any vacant land which is deemed to have been acquired by the State Government under this Act, or is acquired by the State Government under other law, to any person for any purpose relating to, or in connection with, any industry or for providing residential accommodation of such types as may be approved by the State Government to the employees of any industry and it shall be lawful

for such persons to hold such land in excess of the ceiling limit.”

Now, whatever surplus land has been acquired by the Government under Section 23(1), can be allotted to any person for any purpose. Now, do you apply the rule mentioned in the Urban Land Ceiling Act or not? If you have got some policy to be followed according to the rule, why don't you follow that policy? But that policy is not reflected under Section 23(1). Why does this Section say that the land acquired can be allotted to any person? It may mean that such acquired surplus land can be allotted to the rich persons. I would therefore like to know from the Government whether they will consider amending both Section 20(1) and Section 23(1) of the Urban Land (Ceiling and Regulation) Act, 1976.

[Translation]

SHRI DILPEP SINGH BHURIA (Jhabua) : Mr. Deputy-Speaker, Sir, the hon. Minister has assured that he is bringing forward urban land ceiling law. I thank him and would like to know one thing from the hon. Minister.

Urbanisation is rapidly increasing in our country and for this purpose more land is acquired from the farmers. After the acquisition of land from the farmers, the area is declared as urban area and its price goes up by ten times, but it is acquired from the farmers at very low rates. I request the hon. Minister that it should be checked. A man needs only one house to live whether it may be in village or in city, but today everyone wants to have a house in Bombay, one in Delhi in addition to one house in village also. There should be some restrictions on it. The people who are living in Jhuggi Jhonpari colonies are poor and the people from whom the land is acquired shed tears, but no building or house is given to them and in place of it big buildings are constructed there. Rich people try to destroy them. In this regard I would like to ask the hon. Minister whether he will impose similar restrictions on the urban people as has been imposed on the farmers under land ceiling Act. A person should have as much accommodation in his house as is sufficient to meet his

family requirements. Therefore, I would like to know whether the hon. Minister will make such arrangement. Today it has become a business in Delhi that a plot is purchased for one lakh or rupees and after two years its cost increases from Rs 5 to 10 lakhs and in this way they are earning black money. Therefore, I would like to know as to what steps you are taking to check these things.

**SHRI DALBIR SINGH :** Mr. Deputy-Speaker, Sir, I have already spoken about the suggestions given by Shri Dighe, Shri Chintamani Jena, Shri Naik and Shri Bhuria that our Hon. Prime Minister is very keen in this regard and we want to bring a legislation to this effect as early as possible. I can say only this that it is under consideration and we are going to amend it at the earliest.

Shri Dighe said that land should be provided to the Housing society at low rates. Corea Commission has also recommended that the land should be provided to the poor at the rate of Rs 5 per sq. metre. Similar suggestions have also been received from certain other quarters. Our Ministry is considering the interim report.

Besides, Shri Chintamani Jena also asked whether any working group was working. In this regard I would like to inform that work is going on continuously. We have been continuously working since 1979 in Works and Housing Ministry as to how we can bring it in a proper manner so that common man may get benefits of it. It is the policy of our Government and we have also made commitments to implement it properly.

Shri Naik has pointed out about 20 and 23. We are paying continuous attention to it also. We have noted his suggestions and we will keep his views in our mind.

So far as Shri Bhuria is concerned, he said that land is acquired from the farmers at a very cheap rates, but I would like to tell him that there is nothing like that. The Revenue officers of the Land Revenue Department acquire land on the basis of land value of three years. It is not that we purchase it at low cost and sell it at high cost. After the acquisition of land we develop it, we provide roads, electricity line, sewerage and facilities of water supply there and then we sell it. The Government has no motive to acquire land from the farmers at cheap rates. We ensure that farmers get reasonable compensation of their land. I welcome this suggestion that this should be discussed here. Today only five Members participated in the debate, so we want that other Members should also give their suggestions. We have kept the report of Charles Corea Commission in Library and to hon. Members who want to have its copy we can provide them the same. We are going to bring amendment very soon. I would say only this that this is under consideration and we welcome the suggestions given by you. We want that common man should get benefit of Urban Land Ceiling Act.

I had to say only this much about it.

[English]

**MR. DEPUTY-SPEAKER :** The House stands adjourned to meet tomorrow at 11 A.M.

18.34 hrs,

*The Lok Sabha then adjourned till  
Eleven of the Clock on Tuesday,  
April 21, 1987/Valsakhal, 1909  
(SAKA),*