

17.13 hrs.

HALF-AN-HOUR DISCUSSION

IMPLEMENTATION OF LANDS CEILING ACT
BY THE STATES

SHRI A. R. BADRI NARAYAN (Shimoga): Mr. Chairman, Sir, I rise to raise half-an-hour discussion on points arising out of the answer given on the 20th November, 1978 to Unstarred Question No. 150 regarding implementation of Land Ceiling Act by the States. I am afraid, the reply given by the hon. Minister for Works and Housing is very very disappointing. I had expected that the hon. Minister would give details of the surplus land acquired and the surplus land available in the various States of this country as also in the Union Territories. As you are aware, this legislation was brought in 1976 with a view to seeing that the urban land in the cities was also socialised. In respect of the rural areas, under the Land Reforms Act, a ceiling had been fixed; in many of the State this had been done and the people are quite satisfied. So far as the urban areas are concerned, there are huge pockets of land owned by big people, big industrialists, big merchants and others. Now, the idea with which this legislation was brought in 1976 was to see that the urban lands in the cities were also socialised and that could be used for building houses for the poor or the people who had no houses. I had asked for details with respect to the actual surplus land available, but I have not got the details of the several States, where the surplus land is available. It was not indicated, how much surplus land is available, how much has been acquired by the Government, how much has been distributed, how many houses were constructed for the poor, and whether the purpose for which the 1976 Urban Land Ceiling Act was brought forth in this Parliament was achieved and whether this legislation was implemented in the spirit in which it was enacted.

There is a lot of disappointment amongst the people in the urban areas that the surplus land as available has not been acquired as envisaged in the Act.

In addition, there is no attempt to implement the provisions of this Act effectively. To make things worse, the Act has been diluted by making exceptions in the case of agricultural and commercial lands and various others. In the end, the result will be that there will be absolutely no urban land available for the construction of houses for the poor and the needy. The way this Act is being implemented, is half-hearted. There has been no earnest attempt to see that the Act is implemented in the spirit in which it was brought about. The result of this type of an attitude to these land ceiling Acts has been that it has become a legal cover to the black-marketeers to use them to convert their black money into white. The land owners said they were going to build houses; they have not done it. They were saying that they would produce more food and bring down its price. They have not. They said "we are going to build flats for the poor." They have not done it. Thus, the spirit in which this Act was brought in to being, has not at all been fulfilled. There is a terrible disappointment amongst people that the Act has not been implemented properly. This socialist measure was adopted in 1976. If we proceed in the way in which we are doing, I think this Act may as well be scrapped. There is no outcome from it. It has been used as a cover by some people to preserve the lands which they owned. I request the hon. Minister to proceed vigorously with the implementation of these Acts. The way the Government has been dragging on and the way the vested interests have been asking for exceptions, have diluted the Act.

In Gujarat, the excess land acquired is only 23 hectares; in Karnataka it is 14 hectares; in Maharashtra 117

hectares and in U.P. it is 65 hectares. Are you satisfied with these figures? We don't have the figures for the rest of the States.

The way this Act has been implemented has been most unsatisfactory. The purpose for which this Act was enacted, has not been fulfilled. I request the Minister to take a look into the working of the Act and to provide us with more figures as to how this progressive measure has been implemented.

SHRI JYOTRIMOY BOSU (Diamond Harbour): Sir, are you not calling the other Members whose names have come up in the ballet to speak.

MR. CHAIRMAN: After the Minister has replied. I will call them.

SHRI JYOTIRMOY BOSU: It will be better if you call others also now, and then the Minister makes a reply.

THE MINISTER OF WORKS AND HOUSING AND SUPPLY AND REHABILITATION (SHRI SIKANDAR BAKHT): If the hon. Members so desire, I will reply at the end. Otherwise I will reply whenever a particular Member asks for the reply. I can do either of these.

MR. CHAIRMAN: Under the rules you have to reply first.

THE MINISTER OF WORKS AND HOUSING AND SUPPLY AND REHABILITATION (SHRI SIKANDAR BAKHT): I share the anxiety of the hon. Member. But I shall just remind him that this Act was passed under article 252(i) of the Constitution; the States have to pass a resolution that a particular Act should be passed by the Parliament. The implementation part rests entirely with the States concerned. The only part that the Centre can play is to keep a watch on the progress of the implementation. There is a whole proforma of periodical returns that they have to give to

the Centre from the states. 13 headings for the returns have been given; it says that such and such information should be provided to the Centre. To keep a watch on this progress there was a central co-ordination committee which continued till 2nd January 1978. We found that implementation was very slow. That coordination committee had been dispensed with and it had been replaced by four regional committees to watch the progress of implementation within their respective regions. The secretary of the Central Government is chairman of all the four committees; secretaries of the states concerned are members of those committees. We are trying our best to do this. We have got some information; I am prepared to lay it on the Table of the House. That information has been consolidated from the periodical returns on the progress of implementation of the urban land ceiling Act in the States and Union Territories. It gives details of the number of statements of excess vacant land received and the number of statements scrutinised and the number of statements which have been finally disposed of and the estimate of excess vacant land after scrutiny. I would not say that this is really everything that could be desired.

SHRI A. R. BADRI NARAYAN: Are you satisfied that after two years only 95,000 hectares have been stated to be in excess?

SHRI SIKANDAR BAKHT: I have myself said that I do not think that this is all that could be desired. That is the answer to his question. The other relates to exemptions; that is also very scanty. The third one relates to section 21 where permission had been given to people owning excess land to construct houses for weaker sections. I agree that it is not very good. As far as the distribution part is concerned, only from one state we have been able to get some sort of data with regard to distribution of land although that too as compared to

[Shri Sikandar Bakht]

the land which has been given to them, 171 hectares; from out of that only 32.24 hectares, I think, only 22.24 hectares had been utilised in Nagpur to rehabilitate persons affected by the Koradi project and 10 hectares in Poona had been allotted to the National Institute of Bank management. Again there the question of providing houses to the weaker sections of the society on the excess land has not arisen. That is the factual position. Unfortunately States are free to evolve their own policy. There are some general reasons; there have been some rigours coming in the way of construction in the way of economic policies. States have been seeking clarifications from time to time from us and we have been trying to guide them. That is about the best that we can do under the present circumstances.

SHRI A. R. BADRI NARAYAN: There have been too many loopholes and they are to be plugged.

SHRI SINKANDAR BAKHT: There are of course such things; the ministry has already entered into the exercise of suggesting amendments for the Act; that is under consideration. There have been lacunae and loopholes, no doubt.

SHRI GIRIDHAR GOMANGO (Koraput): Mr. Chairman, I would like to put a specific question after the reply to the main discussion. He has referred to two or three States where land was acquired. How much land was acquired State-wise as surplus land and intimation has been given to the Centre by the States that they have acquired the land.

Secondly, the Centre has passed a legislation according to which the Centre will watch the progress. But if the States do not make any progress, what will be the step taken from the Centre? Will they give any guidelines or tell the States to implement the Act more vigorously so that

the object of the Government will be fulfilled?

Thirdly, Tamil Nadu have enacted a legislation of their own. The result is that it is covering only two or three States. I would like to ask the Minister whether the States will bring legislation of their own, by which not only the cities but even municipalities would be covered, so that more and more land can be available for distribution to the poorer sections, because otherwise it is naturally very difficult to rehabilitate the poorer people in the big towns, if land is not available. So, will the Centre give some direction to the States by which they will bring their own legislation? Will the Centre keep a watch over the difficulties which are arising from time to time and the steps taken by the States and co-ordinate their activities

SHRI JYOTIRMOY BOSU: Now that Shri Barnala is here, therefore, I am tempted to ask one question, which will cover him.

In the Draft Sixth Five Year Plan, page 131, it has been revealed that out of two million hectares of land declared surplus, hardly 25 per cent of the land has been distributed, and out of that only one-third of the land distributed has gone to the members of the Scheduled Castes and Scheduled Tribes. What is the reason? Why this distribution of land to the real people who are suffering has been blocked?

From Shri Sikandar Bakht I would like to know, after the enactment of the urban land ceiling law, which was more or less a gimmick done by Mrs. Gandhi with no pious intention behind it, after the enactment of this Act, by that great lady, the dishonourable lady, what exactly is the implementation of the Act? How much land has actually been acquired by the Government so far?

SHRI SIKANDAR BAKHT: First of all, in reply to the question raised by the hon. Member, as I have already said, this Act has been passed on behalf of the State Governments. The Tamil Nadu Government had their own Urban Land Ceiling and Regulation Act, 1976. Now it has been replaced by the Tamil Nadu Urban Land and Ceiling Regulation Act of 1978. They have been empowered and they could do it, because the Central legislation has been passed on behalf of the State.

In reply to Shri Badri Narayan, I have already said that the Government is considering certain amendments to make the implementation of the Act more effective.

AN HON. MEMBER: When are you bringing that amendment?

SHRI SIKANDAR BAKHT: They are under consideration. I have not fixed any time schedule for its consideration.

Coming to the third question, we are keeping a periodical watch over things and we are consolidating whatever information we are receiving. After this Half an Hour Discussion is over, I will place it on the Table of the House and it can be circulated to hon. Members.

With regard to Shri Jyotirmoy Bosu's question, in reply to the original question put by Shri Eadri Narayan it has been said that 279.7 hectares have already been taken over by the Government, but from out of this only the Maharashtra Government have given some data with regard to the use to which a part of the land acquired has been put—32.24 hectares.

SHRI JYOTIRMOY BOSU: So, the whole thing was nothing but a gimmick. That has been established today.

17.51 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Tuesday the November 28, 1978/Agrahayana 7, 1900 (Saka).