

Committee on the Welfare of Scheduled Castes and Scheduled Tribes on the Ministry of Home Affairs and Department of Social Welfare-Reservations for Scheduled Castes and Scheduled Tribes in Public Services.

in the country. Such equipment, however as have to be imported will, it was agreed be financed out of the unutilised parts of the existing Soviet credits.

COMMITTEE ON SUBORDINATE LEGISLATION FOURTH REPORT

SHRI SHRI CHAND GOYAL (Chandi-Garh) : I beg to present the Fourth Report of the Committee on Subordinate Legislation.

12.18 hrs.

STATEMENT RE : RECHANGE OF PROTOCOL ON THE EXPANSION BOKARO STEEL PLANT

THE MINISTER OF DEFENCE AND STEEL AND HEAVY ENGINEERING (SHRI SWARAN SINGH) : My colleague, the Minister for Industrial Development, Internal Trade and Company Affairs, made a Statement in this House yesterday about the visit of H.E. Mr. S.A. Skachkov, Chairman, State Committee of USSR Council of Ministers for Foreign Economic Relations. He informed the House of the discussions with Mr. Skachkov regarding the public sector industrial undertakings set up with Soviet cooperation. Discussions were also held in regard to the expansion of Bokaro Steel Project to a capacity of 4 million tonnes. Government of India informed Mr. Skachkov of their decision to appoint the Central Engineering and Designs Bureau of Hindustan Steel as Principal Consultants for this expansion. This function, during the first stage of Bokaro was being discharged by the Soviet Consultants. The Central Engineering and Designs Bureau have, in the meantime, developed their own expertise. They have also access to the know-how of Soviet organisations under an earlier agreement signed by Hindustan Steel with M/s. Tiaj-promexport to carry out the design work in accordance with the Detailed project Report approved by Government.

- The bulk of the equipment for the expansion of Bokaro will be manufactured

BUSINESS ADVISORY COMMITTEE FOURTY FOURTH REPORT

THE MINISTER OF PARLIAMENTARY AFFAIRS AND SHIPPING AND TRANSPORT (SHRI RAGHU RAMAIAH) : I beg to move :

"That this House do agree with the Forty fourth Report of the Business Advisory Committee presented to the House on the 23rd February, 1970"

MR. SPEAKER : Motion moved :

"That this House do agree with the Forty-fourth Report of the Business Advisory Committee presented to the House on the 23rd February, 1970,"

SHRI SONAVANE (Pandharpur) : The allotted by the Business Advisory Committee is highly inadequate particularly for the discussion of the Demands for Grants of the Railway Ministry. Therefore, I want to make an amendment.

MR. SPEAKER : This is a unanimous report by the Committee.

SHRI SONAVANE : Seven hours are highly inadequate.

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12. 21 hrs.

REQUISITION AND ACQUISITION OF IMMOVABLE PROPERTY (AMEND- MENT) BILL-contd.

MR. SPEAKER : We were discussing the Requisition and Acquisition of Immovable Property (Amendment) Bill yesterday. The total time allotted was two hours and the balance of time left after yesterday's discussion is 45 minutes. It is up to you to finish it within that time. I think we should finish it within the time at Shri Kunte may continue his speech.

SHRI DATTATRAYA KUNTE (Kolaba) : Alook at the Bill will make it very clear. The original Act of 1952 was at emporary measure but the temporary measure dragg-

[Shri Dattatraya]

ed on till 1962, when there was the declaration of emergency in 1962. Then they took possession of the properties under the emergency declaration and those properties are still in the possession of the Government. In order to protect the Government, after the Emergency was over, Government tagged them on to the old Act, but the old Act was also temporary. Under clause 2 the Government now want to make it a permanent measure. It is not very clear why and how this need had arisen. After all the Land Acquisition Act is there and the Mulla Committee is looking into that question. Acquisition of land and properties could be properly governed under that Act. If at all the Government wanted a permanent measure, they should come with a different Act so that the House could have gone into the details.

Another other point is the continued requisitioning of the properties for another ten years. If we look into the history of these properties many details will come out. The Minister has not given us facts and figures. How much agricultural property is in their possession and how many buildings or other properties have been taken over by them? In how many of these there are defence establishments? As long as that information is not given, how can we be asked to decide these things? I think it will be safe to say that there are no defence establishment in a major part of these properties. In Bombay a number of properties have been taken over under the 1939 Defence of India Act; they still continue to be there; to say that all these properties are occupied by the Government is not true. Many original residents of these properties have passed long ago but persons who have retired from Government service, or their sons or relations are occupying these properties. There are other properties also. There are other properties lying vacant. But why should they continue to be in the possession of the Government? It is really surprising to say that it should continue for another ten years. It is a great hardship for all those persons. Taking over of property is a temporary measure, resorted to as a war measure when the Government could not think of anything else. If it continues for forty years, it is unfair and there is no justification for it. This sort of

hardship should not be imposed on the people by the Government.

The Law commission have said that not more than five years will be taken. If the Minister says that he wanted 10 years, he has not given any reasons for saying so. What were the efforts made during all these days? Has he taken steps to consider the merits or demerits about the properties being taken over? He has not given any facts and figures in that regard. He has not taken the House into confidence. Without taking this House into confidence, to ask the House to raise the period from five years to 10 years is another hardship.

As regards compensation, he says that the property is worth about a few crores of rupees. We have known that every year the Government is spending crores of rupees on buildings and other establishments for their officers and staff. If they are spending crores of rupees, than, to say that they must stick on to the possession of these properties still more has no justification. Therefore, it is really necessary that before this House takes this Bill into consideration, the Minister should give detailed information to the House so that the House can deal with it and deal with it with a better judgment. Till then, I must say that this measure is not necessary and therefore, I would like to oppose it.

श्री गजराज सिंह राय (महेन्द्रगढ़) :
अध्यक्ष महोदय, वजाय इसके कि मैं इस बहस में जाऊँ कि तीन साल हो या चार साल हो, दो साल हो या एक साल हो, जो प्रोसेसट अय्यूजेज होते हैं उनकी तरफ ध्यान दिलाना चाहता हूँ। इनका कुछ इन्तजाम किया जाय, वरना इसमें वजाय इसके कि खास जरूरत को पूरा किया जाय, होता क्या है कि बहुत सी बद अनवानियाँ होती हैं जिनसे गरीब लोगों, किसानों, मामूली जमींदारों और छोटे भाइयों को सस्ता मुश्किलों का ही सामना नहीं करना पड़ता बल्कि उनके साथ जुल्म होता है।

इस सिलसिले में कुछ ज्यादा कहने की बात नहीं है, लेकिन उस सेक्शन की तरफ ध्यान दिलाना चाहता हूँ जिसकी तहत कहा जाता है कि बड़ी तरक्की हुई। यहां से थोड़ी दूर पर की बात है, फरीदाबाद में, जिसको मैं

फोडाबाद कहता हूँ आप देखिये कि किस भाव से लोगों की जमीन रिक्विजिशन की गई। 2 आने, 4 आने और बेच रहे हैं 50 और 100 रु० गज। वहाँ पर जब दूसरे लोगों से 2 रु० गज पर जमीनों का मुआवजा मिला तो मिलिटरी पर्सनल से कहा गया कि उनसे 2 आने गज जमीन ली गई है। जब वह उनके दरवाजों पर बहुत रोये पीटे और कहा कि They were fighting on the borders in far-off places and their lands were taken over. They were told to "Go away".

दूसरी बात यह है कि आप मुल्कहजा फरमायें कि एक तरफ तो फून्दा मील पर सेरे जिले के लिये यहाँ से नोटिफिकेशन होता है कि बारह सांव रिक्विजिशन किये जाते हैं दिल्ली के डेवलपमेंट के लिये। अगर यही सब है और हाउस अप्रूब करता है कि दिल्ली के डेवलपमेंट के लिये ऐसा किया जाय तो यह उसकी मर्जी है, लेकिन हम लोगों ने बड़ी मेहनत से जमीनें ठीक बनाई, प्लानिंग सेंट लम्बे, और कहा जाता है कि वहाँ दिल्ली के बड़े बड़े रईस आकर बसंगे, वहाँ उनकी कोठियां बनेंगी, तुम बाहर जाओ। यह चीज आपके सामने मौजूद है। जब मैंने आब्जेक्शन किया और हाईकोर्ट और सुप्रीम कोर्ट की जाने लगी तैयारी की, ओ कहा यह प्लान नोटिफिकेशन हो गया, भाई। अब क्या करें? इसमें दिल्ली का नाम निकल दो और फार प्लान्ड डेवलपमेंट लिख दो। इसी तरह से झांडा-हैरा की एक मिसाल आपके सामने रखता हूँ। एक हाथेस्ट रेवेन्यू अध्यापक है हरियाना की जिसने सड़क के साथ प्लाट लिया है। उसने बाकी लोगों से कहा कि जमीन के बीस प्लाट मुझे बेच दो। जब उन लोगों ने इन्कार किया, ये कहते पर तो उसने नोटिफिकेशन निकलवा दिया कि गवर्नमेंट की फौरी जरूरत है इन तीसों प्लाट्स की और वह रिक्विजिशन किये जायें। जब वह लोग हाई कोर्ट गये और उन्होंने ऐफिडेविट फाइल किया तो जज ने कहा कि इस लैंड के बीच में जो प्लाट है वह सैक्रेड मानुमेंट है,

गवर्नमेंट को उसके रिक्विजिशन करने की जरूरत नहीं है। जिन गरीब लोगों ने जमीन की बंढिया बनाया है यह उनके लिये चाहिये। हाई कोर्ट का जजमेंट मौजूद है।

यह चीज यहीं तक सहदुर् नहीं है कि रिक्विजिशन जमीनों का होता है और उस पर मुआवजा कुशन होते हैं। एक गैंग का गैंग है जो दिल्ली में बैठा हुआ है और उस गैंग को बड़े बड़े अधिकारी जो हमारे सेंटर के हैं, उनकी मदद मिली हुई है। अगर से बीजे तक उस गैंग को मदद मिलती है। आप अगर तहकीकात करें तो आपको इसका पता चल जाएगा। होता यह है कि रिक्विजिशन का नोटिस निकाल दिया जाता है और उसके निकलते ही इस गैंग के जो एजेंट लोग हैं वे लोगों के पास पहुँचते हैं और उनको कहते हैं कि देखो माई अगर गवर्नमेंट ने जमीन ली तो तुम को दो आने चार आने या आठ आने गज के हिसाब से पैसे मिलेंगे और इस तुम को दो रुपया गज देते हैं। और तुम इस जमीन को हमें दे दो। वे गरीब बेचारे डर के मारे उनकी जमीन दे देते हैं और इसके बाद इन जमीनों का रिक्विजिशन करने की जरूरत ही नहीं रह जाती है और इन जमीनों को अपने वारों दोस्तों में तक्सीम कर लिया जाता है। उन जमीनों पर बड़ी बड़ी कोठियां, वाइन्गार्ड और बगीचे लग रहे हैं और जिनसे जमीनें ली गई हैं वे बेचारे अपनी किस्मत पर रो रहे हैं।

मैं तर्ही समझता कि इस तरह की चीज को यह हाउस डबरदास्त कर सकता है। आप देखें कि दिल्ली से दस मील के ही फासले पर इस तरह का रिक्विजिशन का नोटिस निकला था कि इन बारह गांवों को सब आबादी और चरों और पर्सिंग सेंट्स के रिक्विजिशन किया जाता है फार प्लान्ड डेवलपमेंट। यह नहीं बताया जाता है कि प्लान्ड डेवलपमेंट किस के वास्ते हो रहा है, दिल्ली वालों के वास्ते या किसके वास्ते। सेंट सफ़्फ़कारों के वास्ते हो रहा है, यह पता ही नहीं होता है। मैं चाहता हूँ कि आप

[श्री गजराज सिंह राव]

तहकीकात करिये और पता लगाइये कि कहाँ तक दबभ्रान्वातियाँ हो रही हैं और किस तरह से इस एक्ट का बुरा इस्तेमाल हो रहा है।

मैं अब सोलजर्स के बारे में कुछ कहना चाहता हूँ। दो मार्च को हारियाणा कमेटी की मीटिंग हुई थी। उसमें भी यह सवाल उठाया गया था। मैं उसके मिनट्स में से आपको पढ़ कर सुनाना चाहता हूँ।

It was suggested by some Members that a registered notice of at least 15 days should be given to the soldiers whose lands are to be acquired under the Indian soldiers Litigation Act so as to enable them to represent their cases either personally or through their nominee.

The Home Minister stated that as Defence Minister he had also received complaints that this Act was not being properly implemented in some areas of Punjab and Delhi. He asked Shri Gajraj Singh to send his suggestions for effective implementation of the Act to him or to the Chief Secretary to the Government of Haryana, for further examination.

जो हमारे लिए खून बहा रहे हैं, उसके लिए क्या हम धाँपू भी नहीं बहा सकते हैं। उन तक की ज़मीनें जबर्दस्ती ली जा रही हैं।

1968 में मैंने सेंजेशन दी थी और एमेंड-मेंट भी दी थी। सोलजर्स का तो आप कम से कम खयाल रखिये। हाकिम लोगों को जब नोटिस के परियड के बारे में कहा जाता है तो वे कह देते हैं कि गो अवे, 15 दिन का नोटिस काफी है। यह तो वही बात हुई जैसे वे आपके मरसनरी सोलजर हैं। वह एक बहादुर और बफादार तबका है सोसाइटी का। उनके साथ तो इस तरह से आप जुल्म न करें। फरीदाबाद का एरिया लेना हो या गुड़गांव की तहसील के किसी एरिया को लेना हो, तो होता यही है कि नोटिस का डर दिखा कर जो एजेंट लोग हैं वे पहुँच जाते हैं और सस्ते भावों पर ज़मीनें ले लेते हैं और किसान लोग डर के मारे उन

ज़मीनों को दे देते हैं। मैं जानो यह बात नहीं कह रहा हूँ। मैंने सरदार स्वर्ण सिंह जी को भी इसके बारे में चिट्ठी लिखी थी और उन्होंने भी यह माना था कि उनको मालूम है कि डिफेंस मिनिस्ट्री द्वारा दबभ्रान्वातियाँ हो रही हैं, एक्ट का बुरा इस्तेमाल हो रहा है। हाउस की डिफेंस कमेटी ने भी यही कहा है। इस तरह के जो जल्म हो रहे हैं वे बन्द हाने चाहियें सेठ साहूकार खबरें उड़ा देते हैं, झूठबाराँ में निकला देते हैं कि रिक्विजिशन होने वाला है और किसानों को डरा धमका कर सस्ते में उनकी ज़मीनें ले लेते हैं। बद में रिक्विजिशन भी नहीं होता है। एक आध केस में होता हो तो होता हो। मैं चाहता हूँ कि आप कमेटी बनाइये जो इस चीज़ का पता लगाये कि दिल्ली के आस पास क्या हुआ है। आपको कभी हिम्मत नहीं पड़ती है कि सेठ साहूकारों की कोठियों को आप हाथ भी लगा लें, उनको कभी रिक्विजिशन भी कर लें। गरीब लोग जो सड़कों पर पड़े हैं उनके वास्ते जो कोठियों के साथ सर्वेंट क्वार्टर भी होता है उस तक को आपने कभी हाथ लगाया है? मैं चाहता हूँ कि इन गरीब लोगों की आप रक्षा कीजिये, इनको आप बचाइये इन सेठ साहूकारों से। मैं चाहता हूँ कि इसके बारे में मिनिस्टर साहब हमारी तसल्ली करें। वह आश्वासन दें कि यह जो लैजिस्लेशन है, यह एक्ज्यूट नहीं होगा। जिस नियत से वह इसको लाए हैं वह पूरी होगी या नहीं, यह तो मैं नहीं जानता हूँ लेकिन ठगों की जो कार्यवाइयाँ हैं वे जरूर जारी रहेंगी।

SHRI RANGA (Srikakulam): I do not wish to take too much of your time Speaking for myself, I want to express my gratitude to so many of our members who have brought to the notice of this House, and through the House to the government as well as the country, how this Act had been abused up till now, not only to the detriment of the interests of thousands of our kisans but also to the detriment of the interests of our own soldiers who have been defending the country and who have

placed themselves at the disposal of this country for its security.

It is unfortunate that the members belonging to the ruling party did not take the trouble to utilize the machinery that they have within their own party in order to bring it powerfully to the notice of the Minister concerned and also the Prime Minister how strong is the feeling and the resentment felt by our people against this Act and the way in which it has been used. If only they had done it, before it was too late, their party themselves would have given some serious consideration to the ravages caused by this Act and the wrong way in which it has been administered. I am very happy that yesterday Shri Lobo Prabhu drew our attention to the mischief of this Act and members belonging to all parties, including the ruling party, have supported the stand that he had so boldly taken that this Bill ought not to be passed at all. The most unfortunate part is that this Bill has taken us by surprise just at the time when we were busy over the President's Address and the Railway Budget with the result that I do not know whether it would be possible for us to marshal all the voting strength that we would like to. But if the hon. Minister has been following the debate carefully, as I hope he has done, he would be able to know how strong is the feeling of resentment expressed from all sides of the House, including his own. Therefore, if it is not too late, I would appeal to him to withdraw this Bill and come back again, later on, with an improved Bill including or incorporating all the various suggestions that have been made here.

Actually, the question of compulsory land acquisition is being considered by a high-power committee. Members of all political parties are represented in that Committee. My hon. friends, Shri Randhir Singh, Shri Kanwar Lal Gupta and many other are members of this Committee. I am also a member of this Committee. Shri Mulla is the Chairman of this Committee. The report of this Committee is going to be submitted to government by the end of this month. Surely, there is not so much of urgency that they should proceed with this Bill before they have an opportunity of considering the report of this Committee.

Therefore, I would appeal to the Minister not to proceed with the Bill just now. He can ask for its adjournment and, later on, after considering the report that we are submitting to him he might be good enough to come forward with the necessary official amendments to this Bill at a later stage during the session and get it passed, if he were to be so much in an emergency. If on the other hand, he tries to impose this Bill on our heads now, we would have no other choice except to challenge this Bill by means of a division.

MR. SPEAKER : Shri Viswanatha Menon ... He is not here. His party had given his name. Shri Barua.

SHRI R. BARUA (Jorhat): Mr. Speaker, Sir, I would like to confine my speech only to the requisition aspect of the Bill. I am really very sorry that, when there is no emergency, the Bill seeks to extend the period of requisition for another ten years.

I have seen with my own eyes the plight of people, mostly cultivators, whose lands were requisitioned years and years past and in spite of repeated requests, applications and petitions, nothing comes to their pockets. Even if it comes, it is a very nominal amount because on requisition the actual value is not given. The result is that poor cultivators are put to serious hardships.

What is more, if the land is derequisitioned, they will find it dumped with stones, big patches and what-not. In order to reclaim the whole area, they have to spend a lot of money which they do not have. The result is that they sell out the land to somebody who can subsequently utilise it. Only the big people, who can afford to pay some money, go and acquire this cultivable land.

Therefore I strongly resent the idea of extending the period of requisition for another ten years. As Professor Ranga has rightly said, the whole thing of acquisition and requisition is under study by a committee under the chairmanship of Shri Mulla. If that is so, why can the Government not wait for some time to have a comprehensive look at the whole affair and remove the hardship of the people ?

[Shri R. Barua]

I can assure the hon. Minister that in this process of requisitioning under the name of the emergency it is the poor people who are affected. At least in my part of the State the military or defence installations are not in the centre of cities; they are spread over the various villages and the rural areas. These are the people who cannot get proper legal advice or thing of that sort. The result is that sometimes their claims are thrown out on very technical grounds. For instance, on the ground that his name was not there in the land record or that notice was served long ago but he did not come in time. All sorts of technical objection are taken to deprive these people of their legitimate dues.

I hope, taking advantage of the sentiments expressed in this House, the hon. Minister would take some positive steps to see that no people whose lands have been requisitioned are deprived of their legitimate dues and that whatever has to be paid is paid to them as quickly as possible.

With these words, once again I record my resentment against the extension of this Bill for a period of ten long years. I could have understood, if there was some technical difficulty that the hon. Minister could ask for an extension by a period of one year, or so, so that meanwhile he could get possession of what the committee's report is and he could come with a comprehensive legislation.

श्री शिकर (पंजि) : अध्यक्ष, महादय, जहाँ तक स्थावर सम्पत्ति के अधिग्रहण और अर्जन का प्रश्न है मैं गवर्नमेंट को उस के सम्बन्ध में अपना हादिक सपोर्ट दे सकता हूँ। तब केवल इमर्जेंसी में, बल्कि सामान्य समय में भी सरकार के पास यह अधिकार रहना चाहिए। यह मेरा दृष्टिकोण है, क्योंकि सुरक्षा या सोशल वेल्फेयर सम्बन्धी योजनाओं को कार्यान्वित करने के मार्ग में जो कठिनाइयाँ आती हैं, वे इससे दूर हो सकती हैं। लेकिन मेरे जैसा आदमी स्थावर सम्पत्ति के रिलीज करने के बारे में जो व्यवस्था विधेयक में की गई है उसका विरोध करेगा, क्योंकि जिस स्थावर सम्पत्ति का सरकार ने अधिग्रहण या

अर्जन किया है, उसका रिलीज करना किसी भी परिस्थिति में अच्छा नहीं है। मेरे सामने गोआ के कई उदाहरण हैं, जिन से मुझे यह जानकारी मिली है कि स्थावर सम्पत्ति के अधिग्रहण और उसके बाद उसको रिलीज करने से कई प्रकार की समस्याएँ पैदा होती हैं और उनसे यह भी सम्प्रेषण होता है कि उस में सरकारी अधिकारियों द्वारा कई कस्टमर प्रिक्टिस की गई होगी।

किसी स्थावर सम्पत्ति का अधिग्रहण करने के बाद उसको रिलीज करने से यह भी मालूम होता है कि गवर्नमेंट को प्लानिंग फाल्टी होती है, उस में दोष होता है। इस प्रकार के लैंक ऑफ प्लानिंग का एक उदाहरण मैं आपके सामने रखता जाँगा। गोआ में वस्कोडे गामा नाम का एक शहर है। उसके नजदीक बहुत सी जमीन सुरक्षा मंत्रालय द्वारा ज़ीपेता का एक्सपेंशन करने के सम्बन्ध में एक्वायर की गई। मैं उसको अपना हादिक सपोर्ट दे सकता हूँ, क्योंकि मैं समझता हूँ कि अगर गोआ का गोआ की स्थावर सम्पत्ति का उपयोग राष्ट्र की सुरक्षा के लिए हो तो यह बहुत अच्छा है। लेकिन मैंने देखा कि जो जमीन नेवी के एक्सपेंशन के लिए एक्वायर की गई थी, उसके सम्बन्ध में वहाँ के लोग कोर्ट में गये और उसके बाद गवर्नमेंट ने उस जमीन का बहुत सा भाग रिलीज कर दिया। इससे प्रकट होता है कि नेवी के एक्सपेंशन के बारे में गवर्नमेंट का प्लानिंग फाल्टी था। नहीं तो गवर्नमेंट ने इस जमीन का टुकड़ा बचो रिलीज किया और इसलिए मैं यह समझता हूँ कि जब तक कि कोई ऐसा शासन यत्न न रहे कि जो कस्टमर प्रिक्टिस हो या सदीय प्लानिंग हो उसके बारे में कुछ कर सके ऐसे अगर रिलीज का मामला प्रगट होता है तो मेरे जैसा आदमी उसका विरोध करेगा। मैंने यह भी देखा है कि ऐसी जमीन जब सरकार अपने हाथ में लेती है तो उस जमीन में जो लोग रहते हैं उनके निवास स्थान की व्यवस्था योग्य तरीके से नहीं होती है। मैं उसके बारे में एक एग्जाम्पल

मूल धारा के सामने रखना चाहूँगा। जब वेबी ने वास्को डीगामा शहर और नजदीक के प्रांतों में जमीन एक्वायर की तो उसी जमीन में कुछ गरिब फिशरमैन रहते थे। उनके घर वहाँ थे। उनको निकाल दिया। वहाँ से और निकालने के बाद वहाँ जाँ उनके घर थे उनका कीमत तब की गई। उनका माहल निश्चित किया गया और वह माहल 6 रुपये था। 20 साल की जो ग्रांड की रकम हो सकती है वह उनको दी गई लेकिन वास्को डीगामा शहर में उससे नजदीक 100 रुपये दीजिए तो भी अच्छी रहने लायक जमीन मिल नहीं सकती। तो वह फिशरमैन यह 6 रुपया लेकर क्या करेगा? मैंने ऐसा एक एग्जाम्पल मिनिस्ट्री के सामने रखा लेकिन अभी तक उसके बारे में कुछ भी निर्णय नहीं मालूम नहीं है। तो ऐसे प्रश्न उपस्थित हो सकते हैं। दूसरी एक बात मैं आप के सामने रखना चाहूँगा कि शत्रु शहर में आपने देखा होगा, जहाँ रेस्ट हाउस हैं वहाँ नजदीक ही 'मिलिटरी इन्स्टालेशन' है और गवर्नमेंट ने उमी मिलिटरी इन्स्टालेशन के लिए जमीन अपने हाथ में ली है। अब तब उस जमीन के बारे में क्या हमेशा के लिए ही वह जमीन एक्वायर करे, इसका भी कुछ निर्णय नहीं हुआ है और गवर्नमेंट लेडलाइ की रेट की तरह से रकम देती है। उसी लेडलाइ को नजदीक की ओर जमीन वहाँ के हाउसिंग बोर्ड ने ली है और उसकी उस जमीन की कीमत अब से कम 30 रुपया एक्वायर मीटर होती है। उसी मालिक की जमीन वहाँ है जिसके बारे में उनको केवल 8 आधा या चार आना मिलता है। तो इससे मालूम होता है कि गवर्नमेंट जब तक निर्णय न करे कि वह जमीन जो सरकार ने अपने हाथ में ली है वह उसकी हमेशा के लिए लेन का निर्णय करती है तब तक वह अगर उठे लेती है तो उनकी जमीन थी उनको हानि पहुँचती है। इसलिए मैं कहूँगा कि इस के बारे में रिलीज के बारे में जब प्रश्न उपस्थित होता है तो सरकार कुछ ऐसा यंत्र तैयार करे जिससे ऐसे प्रश्न उपस्थित न हों। मेरे सामने ऐसा ही एक एग्जाम्पल खुद मेरे गाँव का है। गवर्नमेंट ने डिफेंस परपोज के लिए वहाँ

फायर रेंज के लिये कुछ जमीन एक्वायर की है लेकिन जब लोगों ने उसका विरोध किया तब सरकार ने उस जमीन का कुछ भाग छोड़ दिया। तो ऐसा होना है, ऐसे निर्णय तो हमेशा के लिए नहीं करते हैं उससे लोगों की हानि पहुँचती है और गवर्नमेंट के अच्छे अच्छे निर्णय जो है उनको भी हानि पहुँचती है। तो मैं यह कहूँगा चाहूँगा कि भविष्य में और धर्म के बारे में मेरी सफाई तो जरूर है लेकिन जहाँ तक यह रिलीज के बारे में जो समस्याएँ उपस्थित हो सकती हैं और करंट प्रिजिडेंस हो सकते हैं उनके बारे में जब तक अच्छी व्यवस्था नहीं होती है तब तक मैं इस विषय का अपना हादिक स्पेक्ट नहीं दे सकता।

SHRI BISWANARAYAN SHASTRI
(Lakhimpur) : I have not the least hesitation to term this Bill as an atrocious one.

SHRI RANGA : It is universal—this opposition. I don't know whether the Government will respond favourably.

SHRI BISWANARAYAN SHASTRI :
This Bill seeks to give the power to Government to keep in their possession immovable property for longer period. This indicates indecision on the part of the Defence Ministry. They cannot decide quickly whether such immovable property would be required for their purpose or not. This is the effect of red tapism. By this Bill Government is going to give another premium to red tapism. I agree that when emergency is there, Government can acquire immovable property for their purpose and so long as emergency continues, they can keep the property with them. But by this Bill they are going to convert the normalcy into emergency. Therefore, I consider this Bill as worse than the Preventive Detention Act, (Interruptions) because under the Preventive Detention Act only one person can be kept in custody but by this Bill the entire family can be kept out of their house. Agricultural land is taken by government and a nominal compensation—5 times, or 10 times of the land revenue is paid and I have seen personally families begging from door to door as a result of their agricultural lands being taken away by Government.

[Shri Biswanarayan Shastri]

I would like to give a personal instance of my experience. Before I was elected to Parliament, I served as the Principal of the College in my State in North Lakhimpur. The college acquired a land of about 12 acres. The Defence Department requisitioned that land. The college was going to be shifted there but this could not be done. They neither purchased the land nor released the land. Therefore the college has been suffering to a great extent and it was shifted somewhere else. Therefore, Sir, I would like to suggest that the period of requisition of 10 years is not a proper one. If at all, it should be 3 years only. I would like to suggest to the Minister that under no circumstances land from the agriculturists should be taken away without giving them proper compensation. With these words, I record my strong protest against provision of this Bill and conclude.

MR. SPEAKER: We pass on the Clause-by-clause consideration.

SHRI TENNETI VISWANATHAM (Visakhapatnam): I wanted to speak.

AN HON. MEMBER: Let the hon. Minister reply to the debate.

SHRI RANGA: You may kindly use your good offices with this Government, Sir. It has been opposed universally by all sections, by all parties.

SHRI TENNETI VISWANATHAM: Even those who did not speak like myself, are also opposed to it.

MR. SPEAKER: The hon. Minister may speak after lunch.

12.58 hrs.

The Lok Sabha adjourned for lunch till Fourteen of the Clock.

The Lok Sabha re-assembled after Lunch at four minutes past Fourteen of the Clock.

[MR. DEPUTY SPEAKER in the chair]

REQUISITIONING AND ACQUISITION OF IMMOVABLE PROPERTY (AMENDMENT) BILL—Contd.

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY PLANNING, AND WORKS, HOUSING AND URBAN DEVELOPMENT (SHRI B.S. MURTHY): This Bill seems to have made an impact on all sides of the House. I think this is one Bill which has received universal...

SHRI LOBO PRABHU (Udipi): Condemnation.

SHRI B. S. MURTHY: .. which has created universal excitement, because even a veteran parliamentarian like Shri Ranga said that Government had conveniently chosen to bring forward this Bill at a time when their minds were otherwise engaged. But in spite of his being otherwise engaged, Shri Ranga also has taken part in the debate and he has given his opinion on this.

I think that much of the criticism seems to be unfounded. I have myself been a victim of this Act once.

SHRI SRIDHAKAR SUPAKAR (Sambalpur): Therefore, it is well founded.

SHRI B. S. MURTHY: Shri Supakar whom I always consider to be a very silent and sober Member has also registered his protest against this Bill.

Let me give you this instance so that hon. Members may appreciate my anxiety to please them all. Some youngman in Hyderabad belonging to the Scheduled Castes formed themselves into a co-operative housing society and they purchased some land. Three or four weeks later, the Defence Ministry came and gobbled it.

THE DEPUTY MINISTER IN THE MINISTRY OF DEFENCE (SHRI M. R. KRISHNA): They purchased it.

SHRI B. S. MURTHY: He seems to be a person who knows what gobbling is. Then they took nearly five to six years to get it back. They could not get the land, but the compensation was paid and I had also to play a very important role in getting these youngmen necessary and adequate compensation in as brief a period as possible. I had also a plot in that.

But this Bill has nothing to do with that kind of thing where everyone is being persecuted or harassed. As a matter of fact, I would like to give you certain figures which will allay all fears about this matter. I am giving the figures up to 1st February, 1970. As regards requisitioning, in the case of the Ministry of Defence, the number of buildings is 179 all over the country...

SHRI DHIRESWAR KALITA : (Gauhati) : As against how many requisitioned ? He has said that 179 were acquired.

SHRI B.S. MURTHY : These were not acquired but requisitioned. The annual compensation payable is Rs. 6.86 lakhs.

SHRI DHIRESWAR KALITA : On a point of order. In Assam itself the number is more.

SHRI B. S. MURTHY : I am giving the information at my disposal...

SHRI DHIRESWAR KALITA : He may be having that information at this disposal. But I contest it. He has not been properly briefed.

SHRI B. S. MURTHY : The area of land under requisition in acres is 86,658.02, under Defence, for which we have agreed, & the annual compensation payable is Rs. 68.96 lakhs. The estimated cost of acquisition this is about Rs. 29.63 crores. In the case of the Ministry of Finance, the number of buildings is 34 and the compensation amount is Rs. 1.41 lakhs.

Department of Statistics, 1 bldg, annual compensation Rs. 189.50 paise, 17 bighas 13 kanals; Ministry of Railways, 7 buildings annual compensation Rs. 11,459.40, area 8,924 sq. ft; central PWD. area about 577 acres, annual compensation Rs. 4,51,800; Directorate General of Security, 3 buildings, area 90.29 acres 502.03 bighas and 39.8 kanals, Rs. 89,177.83; Ministry of Education, 2 buildings, Rs. 12,900; Ministry of Information and Broadcasting, 4 buildings, Rs. 23,400; Posts and Telegraphs, 5 buildings, Rs. 40,012; Department of Atomic Energy, one building, annual compensation Rs. 4080 area 11,177.35 sq. ms. and last but not least, Directorate of Estates, 222 houses, Rs. 18.84 lakhs. This is the whole list.

SHRI R. BARUA : We wanted to know why an extension is needed for another ten years.

SHRI B.S. MURTHY : I do not know whether the hon. Member was present in the House earlier when I made it clear yesterday why we have come to this august House for this purpose.

Shri Lobo Prabhu quoted the Law Commission. Some other hon. Members referred to the Mulla Committee which is about to submit its report, I am told that Committee is not concerned with the requisitioning and Acquisition of Immovable Property Act of 1952.

In spite of all this, I would like to honour the hon. Members who participated in this debate. Most of them spoke with feeling. Feelings are deeper than thoughts and thoughts are deeper than words. So I would like to accept to their request. I had proposed ten years. Shall we have a compromise on the basis of 50:50 ?

SOME HON. MEMBERS : No, no.

SHRI A. S. SAIGAL : (Bilaspur) Let Government make up their mind.

SHRI B. S. MURTHY : Government have made up their mind. I accept the period of 3 years and I request that the Motion be passed.

MR. DEPUTY-SPEAKER : The question is :

"That the Bill be circulated for the purpose of eliciting opinion thereon by the 31st August 1970".

The Motion was Negatived.

MR. DEPUTY-SPEAKER : The question is : "That the Bill further to amend the Requisitioning and Acquisition of Immovable Property Act, 1952, be taken into consideration."

The motion was adopted.

MR. DEPUTY-SPEAKER : The question is : "That Clause 2 stand part of the Bill."

[Mr. Deputy-Speaker]

The motion was adopted.

Clause 2 was added to the Bill.

Clause 3-(Amendment of section 6)

SHRI SHIVA CHANDRA JHA : I beg to move :

Page 2, lines 9 and 10,

for "ten years" substitute "five years" (2)

Page 2, lines 12 and 13,

for "ten years" substitute "five years" (3)

Shri B. S. MURTHY : I beg to move:-

Page 2, line 9,-

for "1969" substitute "1970" (7)

SHRI LOBŪ PRABHU : I beg to move:-

Page 2, line 9,-

for "ten" substitute "three" (8)

Page 2, line 12,-

for "ten" substitute "three" (10)

Page 2, line 10, for "ten" substitute "three" (11)

श्री शिव चन्द्र झा (मधुबनी) : उपाध्यक्ष जी, इस बिल में जो मियाद दस साल की है उसको घटाने के मुतालिक मेरा संशोधन है। अब इन्होंने स्वयं ही उस मियाद को घटाकर तीन साल रख दिया है। लेकिन मेरी समझ में यह तक नहीं आ रहा है कि तीन साल क्यों रखा, दो साल क्यों नहीं रखा? तीन साल की मियाद एक बहुत लम्बी मियाद ही जाती है। आप बिड़ला मवन को तीन साल नहीं बल्कि दस साल के लिए भी रिविजीशन में रख सकते हैं और उसके बाद स्वयं कर ले कि जो छोटी जमीन और छोटी सम्पत्ति वाले हैं उनकी सम्पत्ति अगर आप लेते हैं और उसको तीन साल रिविजीशन में रखते हैं तो वह एक बहुत बड़ी मियाद हो जाती है। इसलिए उनकी हालत और भी खराब हो जायेगी। इसलिए मैं चाहूँगा कि आप इस पर फिर से गौर करें। अभी सरकार ने जो कहा है कि तीन साल की मियाद रखी जाये, ला कमीशन

ने पाँच साल के लिए रखा था और दस साल की मियाद आप रिविजक में समायें, लेकिन मैं चाहूँगा कि इसको दो साल ही रखें। वैसे तो वो सभ्त की मियाद भी बहुत लम्बी है, अच्छा होगा कि इसको एक साल ही रखा जाये। एक साल की मियाद ही बहुत काफी है। उसमें भी जो खास खाम हालात हैं उनको मद्दे नजर रखा जाना चाहिये, यानी वो बड़ी सम्पत्ति वाले हैं उनकी सम्पत्ति को ज्यादा देर तक रखें और छोटी सम्पत्ति को कम समय के लिए रखें। इस तरह का संशोधन होना चाहिए। मेरा संशोधन जो कि 5 साल के लिए है मैं उसको वापिस लेता हूँ लेकिन मैं चाहूँगा कि तीन साल की मियाद को भी घटाकर दो साल ही रखा जाये।

श्री शशि भूषण : मेरा प्वाइंट ऑफ आर्डर है। श्री साहू ने अभी "बिड़ला हाउस" का जिक्र किया और कहा कि उनको दस साल भी रिविजीशन रख सकते हैं। मैं चाहूँगा कि बिस्ला हाउस को फौरन एक्वायर किया जाये, उसमें बिल्कुल समय नहीं लगना चाहिए। मैं चाहूँगा कि यह जरा बिलयर हो जाये।

SHRI DHIRESWAR KALITA : I am glad that Government has agreed to reduce the period to three years.

I do not question the right of the government to requisition. Government should have the right to requisition, but it should not drag on for ten years. Yesterday also I said that in my constituency for the last seven or eight years people have not been getting any recurring payment. If the original proposal of the Government were accepted, then for nine years no paper will move for recurring payment. These bureaucrats are known to all of us, how they behave. I said yesterday, the recurring compensation is very low and this Bill would hit hard all the peasants and the low income groups. Big houses, as my hon. Friend Mr. Jha said, belonging to big groups and tycoons have never been requisitioned. I have known

one particular case and Mr. Swaran Singh also knows it. It has not been settled during the last three years. The person is an ordinary clerk who gets Rs. 150 per month and he owns a house in Tespur which was requisitioned in 1962 and he has not been able to get a single rupee from it till today because the military man who is occupying it is objecting to giving him some rent. The District Magistrate is not in a position to settle the accounts. The Defence Ministry and the Law Ministry never make things clear to the ordinary persons. Therefore, I moved this amendment and I am glad that the Government has accepted three years. I hope within three years Government will take note of whatever we have said in this House and clear the accounts of the low income groups whose houses and properties have been requisitioned and either release them or acquire them.

SHRI LOBO PRABHU : I am grateful to the hon. Minister for accepting my amendment that the period for derequisitioning or acquiring be reduced to three years. He was kind enough to say that it was a birthday gift to me ; today happens to be my birthday. I should like to say that this may also be the birthday of better relationship between the Government and the Opposition, relationship where there is co-operation and reasonable amendments are accepted. No one is going to be put to any inconvenience. There is the Rent Control Act under which any House required by the staff can be obtained from the State Government and there is the Land Acquisition Act as I referred earlier. I understand there was objection from Finance that the amount required was some thing in the nature of Rs. 33 crores for paying and acquiring the properties and that is was difficult to find that amount within the next three years. In case there is large scale derequisitioning the amount required will be smaller. There is one thing more. If you delay, you will only increase the amount of compensation, with the rise in property values. So it is better to acquire them as soon as you can so that you can pay as low as possible within the present rates.

Lastly, I should like also to say that this is the birthday of a new understanding between my party and the socialist party. They have been pleading for the small man's

house and I have been pleading for the bigger houses. But I should like to point out to them that property is the same, whether it is a palace or a hut; when one talks about the right to property, one must think of the little huts of thousands of people involved. So, I do hope that this is the birthday of good sense when the socialist party realised that the right to property is the right live a civilised life.

SHRI B. S. MURTHY : Mr. Deputy-Speaker, because of this amendment so I have to propose one two to other amendments that wherever the word 'ten' comes it should be read as 'three' in clause 4.

MR. DEPUTY-SPEAKER : It is not open to the Minister to move an amendment suddenly. He has to give proper notice for it.

SHRI B. S. MURTHY : It is coming.

MR. DEPUTY-SPEAKER : It is not before me now. You have to reply to the points raised by the Members who have moved the amendments.

SHRI SONAVANE : The House can waive notice for the hon. Minister.

SOME HON. MEMBERS : No, no.

MR. DEPUTY-SPEAKER : Shall I put the amendment to the vote ?

SHRI SONAVANE : I want to speak.

MR. DEPUTY-SPEAKER : You can speak on the next clause.

SHRI B. S. MURTHY : I accept the amendment.

MR. DEPUTY-SPEAKER : What amendment ?

SHRI B. S. MURTHY : Shri Lobo Prabhu's amendment, -three years.

SHRI DHIRESWAR KALITA : Three years proposed by me and Shri Lobo Prabhu.

MR. DEPUTY-SPEAKER : The Minister accepts one of the amendments which reduces the period from 10 to three years.

[Mr. Deputy-Speaker]

Even so, I have to put all the amendments formally to the vote of the House. Now, Shri Shiv Chandra Jha's amendments.

AN HON. MEMBER : He has asked for leave to withdraw.

MR. DEPUTY-SPEAKER: Do you want to withdraw ?

SHRI SHIVA CHANDRA JHA : Yes.

Amendment Nos. 2 and 3 were by leave, withdrawn.

MR. DEPUTY-SPEAKER : Then, there is Government amendment No. 7.

The question is :

"Page 2, line 9, for "1969" substitute "1970" (7)

The motion was adopted.

SHRI LOBO PRABHU : Amendment Nos. 9, 10 and 11 are consequential.

MR. DEPUTY-SPEAKER : I shall put amendment Nos. 9, 10 and 11.

The question is :

Page 2, line 9, for "ten" substitute "three". (9)

The motion was adopted.

MR. DEPUTY-SPEAKER : The question is :

Page 2, line 12, for "ten" substitute "three" (10)

The motion was adopted.

MR. DEPUTY-SPEAKER : The question is :

Page 2, line 17, for "ten" substitute "three" (11)

The motion was adopted.

MR. DEPUTY-SPEAKER : Now, the question is :

"That clause 3, as amended, stand part of the Bill"

The motion was adopted

Clause 3, as amended was added to the Bill.

Clause 4, Amendment of Section 8.

SHRI B.S. MURTHY : I want to make, with your permission, a submission. It is about clause 4. I want, with your permission, to delete the whole of clause 4.

MR. DEPUTY-SPEAKER : First of all, I would like to ascertain from you whether you are moving the amendment standing in your name.

SHRI B. S. MURTHY : Yes.

SHRI LOBO PRABHU : We do not agree to the deletion of the entire clause 4, because it is for revising the rate over five years.

MR. DEPUTY-SPEAKER : Order, order I am at this stage ascertaining from hon. Members who have sent in their amendments whether they are moving them or not. The Government amendment is No. 8.

SHRI LOBO PRABHU : I move :

Page 3, line 12 after "sub-section (2A)"

insert "provided there is just compensation, according to prevalent market values to the owners." (16)

SHRI SHIVA CHANDRA JHA : I move;

Page 3, line 8, after "be revised" insert "after taking the socio-economic situation of the case into consideration." (4)

SHRI DHIRESWAR KALITA : I move :

Page 2, line 34, for "five years" substitute "one year." (13)

Page 2, line 45, for "five years" substitute "one year" (14)

Page 3, line 4, for "five years" substitute "one year" (15)

SHRI B. S. MURTHY : I move.

Page 2, line 40, for "1969" substitute
 "1970" (8)

SHRI OM PRAKASH TYAGI (Moradabad) : I move :

Page 2, line 34,-
 for "five" substitute "three" (20)

SHRI LOBO PRABHU : I move :

Page 2, line 34,-
 for "five" substitute "three" (12)

SHRI OM PRAKASH TYAGI : I move :

Page 3, after line 12, insert-

"Provided the compensation will be paid to the owner according to the prevailing market value."

श्री शिव चन्द्र झा : जिस हमदर्दी के साथ या यों कहिये कि जिस दवाव में आप कर सरकार ने दस साल के बजाय तीन साल करने के संशोधन को माना है, उसी भावना का पुनः प्रदर्शन करते हुए मैं चाहता हूँ कि चाहे हमदर्दी से भी या दूसरे किसी दृष्टिकोण से, वह मेरे इस एमेंडमेंट को भी स्वीकार कर ले।

क्लाज 4 (2वीं) में यह कहा गया है :

"The recurring payment in respect of any property shall be revised by re-determining such payment in the manner," etc....

जो पेमेंट देने की बात आती है तो मैं चाहता हूँ कि बी रिवाइज्ड के बाद वे शब्द जोड़ दिये जायें :

"after taking the socio-economic situation of the case into consideration".

तीन साल की बात आपने यहां पर रखी है। मान लें बिड़ला की सम्पत्ति है। उसको भी आप तीन साल के बाद वापिस कर दें यह कहां का इन्साफ है ? मैं मानता हूँ कि कानून सब के लिए एक है। लेकिन यह कोई न्याय

नहीं है कि बिड़ला भवन आप एक्वायर करते हैं तो अगर आप तीन साल तक कैसला नहीं कर पाते हैं तो उसको आप वापिस कर दें। डिफेंस के कामों के लिए अगर उनकी सम्पत्ति लेने की जरूरत पड़ जाए तो वह कहां का इन्साफ है कि तीन साल के बाद उसको आप वापिस कर दें। इस वास्ते जब रिकॉरिंग पैमेंट की बात आती है तो सरकार इस बात का ध्यान रखे कि हर कैस कैसा है, हर कैस की हालत को आप देखें, यह देखें कि जिसकी सम्पत्ति ली गई है वह छोटी सम्पत्ति वाला है या बड़ी सम्पत्ति वाला। यदि बड़ी सम्पत्ति वाला है तो उसको पैमेंट कम हो और उस सम्पत्ति को ज्यादा देर तक आपने पास रखें। उसमें तो पैमेंट की जरूरत भी नहीं होनी चाहिये। यदि छोटी सम्पत्ति वाला है तो उसको ज्यादा मुआवजा दिया जाना चाहिये और जल्दी दिया जाना चाहिये। इन सब बातों को मद्देनजर रखते हुए पैमेंट की बात होनी चाहिये। जब कोई कैस आपके सामने आए तो उस पर आप इस दृष्टिकोण से विचार करें कि वह आदमी ज्यादा सम्पत्ति वाला है या कम सम्पत्ति वाला। ज्यादा वाले को आप नहीं भी दें या देर में भी दें तो कोई बात नहीं है। लेकिन जो कम सम्पत्ति वाला है उसको आप ज्यादा मुआवजा दें और जल्दी दें। इसी चीज को ध्यान में रखते हुए मैंने इन शब्दों को जोड़े जाने की बात कही है।

SHRI LOBO PRABHU : Having read clause 4 again, I find that it provides for revision every five years. In view of the Government accepting the amendment limiting the requisitioning to a period of three years, the question of revising it every five years no longer exists. In the circumstances I agree with the Government's amendment to delete clause 4 completely.

MR. DEPUTY-SPEAKER : I do not think any negative amendment can be moved at this stage to delete any clause, but at the stage when a motion is moved that this clause stand part of the Bill, you can vote it down.

SHRI R. D. BHANDARE (Bombay Central) : I have a two-fold prayer to make. Firstly, the notice of time for the purpose of moving an amendment may be waived and I may be permitted to move an amendment. Secondly, my amendment for the deletion of clause 4 of the Bill may be accepted. That is within the discretion of the Chair.

MR. DEPUTY-SPEAKER : I am afraid I do not have any discretion on that.

SHRI R. D. BHANDARE : So far as the time for moving an amendment to a Bill is concerned, there is a time-limit.

MR. DEPUTY-SPEAKER : Rule 344 (2) reads :

"An amendment shall not be moved which has merely the effect of a negative vote."

So, I do not think I can accept that.

SHRI DHIRESWAR KALITA : Originally, the Bill envisaged a period of ten years. Then, considering the socio-economic conditions, it was revised to five years. So, my consequential amendment stands that for recurring payment etc. the period should be one year.

SHRI R. D. BHANDARE : Clause 4 can be deleted.

SHRI DHIRESWAR KALITA : You cannot delete it now.

MR. DEPUTY-SPEAKER : Has the Minister anything to say ?

SHRI B. S. MURTHY : I want to say that my acceptance of the amendment moved by Shri Lobo Prabhu.....

में जहां भावने पांच साल रहे हैं, उसके स्थान पर तीन साल रख दें।

गवर्नमेंट जिन लोगों की जमीन लेती है व आमतौर पर गरीब आदमी होते हैं। मुझे दिल्ली तथा ज़ाहिर का निजी अनुभव है। अधिकांश में किसान लोगों की जमीनें ली जाती हैं। कौड़ियों के भाव उनकी जमीनें ली जाती हैं। गवर्नमेंट ने जमीनें लेने की एक नीति बनाई है। लेने का जब वक्त आता है तब तो गवर्नमेंट कौड़ियों के भाव लेती है और बेचारे किसान को कुछ भी पैमेंट नहीं होता है लेकिन जब उसको बेचने का वक्त आता है तो सैंकड़ों के हिसाब से उसको बेच दिया जाता है। एक दो नहीं अधिकांश ऐसे आदमियों की जमीनें सरकार लेती है जिन का पुज़ुरबसर इन जमीनों पर ही होता है। उनको चार आने गज के हिसाब से मुआवज़ा दे देती है लेकिन जब बेचने का वक्त आता है तो उनको मार्किट वॉल्यू पर बेचा जाता है। मैं उदाहरण देना चाहता हूँ। सोनीपत के पास मिलिटरी का प्ले ग्राउंड था। उसको जब गवर्नमेंट ने लिया तो कौड़ियों के भाव पर लिया। अब जब उसको वापिस देने का सवाल आया है तो सरकार कह रही है कि जो सबसे ज्यादा कीमत देगा जो मार्किट वॉल्यू अदा करेगा उसको यह जमीन दी जाएगी। मैं डेपुटी सेशन में मिनिस्टर आफ डिफेंस के पास गया था और मैंने उनसे कहा था कि गरीब किसानों को आप इसको दे दें। उन्होंने कहा कि मार्किट वॉल्यू पर हम देंगे, जो ज्यादा पैसा देगा, उसको हम देंगे। एकवायर तो कौड़ियों के भाव किया जाता है लेकिन जब बेचा जाता है तो मार्किट वॉल्यू पर बेचा जाता है। दिल्ली के चारों ओर कौड़ियों के भाव पर सरकार ने जमीन ली लेकिन जब प्लॉट बनाकर उसको बेचना शुरू किया और अभी भी बेच रही है तो मार्किट वॉल्यू पर बेच रही है और कह रही है कि इससे कम पर नहीं दी जाएगी। यह अन्याय क्यों? गवर्नमेंट जमीन लेना चाहती है तो ले, आवश्यक है, एमरजेंसी है तो ले, कोई आपत्ति नहीं है, खुशी के साथ ले, लेकिन

और अयोग्य प्रकृति स्थानी : मन्त्री महोदय के इस सफ़र के बजाय तीन साल कर दिये हैं। क्या कम्पैलिग रीजन्स के इसमें मैं जाना नहीं चाहता हूँ। लेकिन मैं कहना चाहता हूँ कि यहां भी उसी आधार पर सिविज्ब के मामले

किसी को लाश पर वह अपना भवन खड़ा न करे। प्रजा का शोषण हो, यह चीज चलने नहीं दी जा सकती है। आप जमीन लें, आपके पास पैसा है लेकिन आप तो गरीब आदमी की लाश पर अपना भवन खड़ा कर रहे हैं। अगर सरकार किसी किसान की जमीन लेना चाहती है, तो वह ले ले, लेकिन वह उसको मार्केट वैल्यू के हिसाब से मुआवजा दे, ताकि वह अपने परिवार के भविष्य के लिए कोई व्यवस्था कर सके, किसी दूसरी जगह जमीन खरीद सके, फँट्टी खड़ी कर सके या कोई दुकान बगैरह खोल सके। बिड़ला हाउस या बिड़ला और टाटा की बात छोड़ दीजिए। उनकी सम्पत्ति या जमीन लेने की सरकार की हिम्मत नहीं है। अधिकांशतः, 90 प्रतिशत, गरीबों और किसानों की ही जमीन ली जाती है। मेरी एमेंडमेंट यह है कि क्लार्क के अन्त में यह जोड़ दिया जाये कि जमीन के मालिक को मुआवजा तत्कालीन मार्केट वैल्यू के हिसाब के दिया जाये। मेरी प्रार्थना है कि गवर्नमेंट को मेरी यह रीज़नेबल एमेंडमेंट स्वीकार कर लेनी चाहिए। चाइना और रशा की स्थिति दूसरी है। वहाँ तो सारी जमीन सरकार की ही है। इसलिए वहाँ पर मुआवजा देने का प्रश्न ही नहीं उठता है। लेकिन जब यहाँ पर आदमी को जमीन रखने का अधिकार है, तो सरकार को वह जमीन लेते वक्त मार्केट वैल्यू का ध्यान रखना चाहिए। मैं आशा करता हूँ कि मन्त्री महोदय मेरी इस एमेंडमेंट को स्वीकार कर लेंगे।

SHRI SRADHAKAR SUPAKAR (Sam-bapur): Mr. Deputy-Speaker, Sir the amendment moved by Shri Tyagi, I think, is rather superfluous having regard to the fact that we had a recent decision of the Supreme Court on bank nationalisation which sets out in clear and unambiguous terms that compensation, if it means anything, is market value. Therefore, as the

law stands at present, if the Government have to pay compensation for acquiring lands which have previously been requisitioned, they have to pay the market value and there is no getting away from it. Therefore in my opinion the amendment proposed by Shri Tyagi is superfluous

श्री ओम प्रकाश त्यागी : तो फिर मेरी एमेंडमेंट को स्वीकार करने में क्या आपत्ति है ?

SHRI LOBO PRABHU : I may submit that here we are concerned with rent of house and land and not with the acquisition of property. In respect of acquisition of property there is already a provision such as Shri Tyagi refers to by which market value will be paid. That is according to the Act of 1968. As far as I am concerned, we may delete this clause because the amendment he seeks is already existing.

MR. DEPUTY-SPEAKER : I am now putting amendment No. 4 of Shri Shiva Chandra Jha to the vote of the House.

श्री शिव चन्द्र झा : चूंकि मंत्री महोदय ने इस सदन में उठाई गई बातों का जवाब नहीं दिया है, इसलिए मैं अपनी एमेंडमेंट को प्रसन्न करता हूँ। मैं चाहूँगा कि वह मेरी इस एमेंडमेंट को स्वीकार कर लें। मेरी एमेंडमेंट का आशय यह है कि सोशो-इकानोमिक कन्डीशन को दृष्टि में रख कर मुआवजे के बारे में निर्णय किया जाये।

MR. DEPUTY-SPEAKER : Now, I put Amendment No. 4 moved by Shri Shiv Chandra Jha to the vote of the House.

The question is :

Page 3, line 8—

after "be revised" insert

"after taking the socio-economic situation of the case into consideration."

The Lok Sabha Divided

Division No. 1 AYES 14.50 hrs.

Basu, Shri Jyotirmoy
Jha, Shri Shiva Chandra
Khan, Shri Ghayoor Ali

Limaye, Shri Madhu
Mahato, Shri Bhajabari
Misra, Shri Janeshwar

Amat, Shri D.
Amin, Shri R. K.
Arumugam, Shri R. S.
Babunath Singh, Shri
Bajpai, Shri Vidya Dhar
Barua, Shri Bedabrata
Barupal, Shri P. L.
Baswant, Shri
Berwa, Shri Onkar Lal
Bhandare, Shri R. D.
Bhanu Prakash Singh, Shri
Brahmanandji, Shri Swami
Chanda, Shrimati Jyotsna
Chaturvedi, Shri R. L.
Damani, Shri S. R.
Deb, Shri D. N.
Deo, Shri K. P. Singh
Deo, Shri P. K.
Deo, Shri R. R. Singh
Deshmukh, Shri B. D.
Deshmukh, Shri K. G.
Dhrangadhra, Shri Sriraj Meghrajji
Dhuleshwar Meena, Shri
Dwivedi, Shri Nageshwar
Gajraj Singh Rao, Shri
Gandhi, Shrimati Indira
Ganesh, Shri K. R.
Gavit, Shri Tukaram
Gowder, Shri Nanja
Gupta, Shri Lakhna Lal
Hem Raj, Shri
Jai Singh, Shri
Jamir, Shri S. C.
Jamna Lal, Shri
Karan Singh, Dr.
Karni Singh, Dr.
Kesri, Shri Sitaram
Kinder Lal, Shri
Kisku, Shri A. K.
Kotoki, Shri Liladhar
Koushik, Shri K. M.
Krishnan, Shri G. Y.
Kureel, Shri B. N.
Kushok Bakula, Shri
Kushwah, Shri Yashwant Singh
Lalit Sen, Shri
Laskar, Shri N. R.
Lobo Prabhu, Shri

Lutfal Haque, Shri
Mahadeva Prasad, Dr.
Mahishi, Dr. Sarojini
Majhi, Shri Mahendra
Mandal, Dr. P.
Marandi, Shri
Masani, Shri M. R.
Master, Shri Bhola Nath
Meena, Shri Meetha Lal
Minimata Agam Dass Guru, Shrimati
Mody, Shri Piloo
Mohamed Imam, Shri J.
Mohsin, Shri
Naidu, Shri Chengalraya
Naik, Shri G. C.
Naik, Shri R. V.
Oraon, Shri Kartik
Palchaudhuri, Shrimati Ila
Panigrahi, Shri Chintamani
Parmar, Shri Bhaljibhai
Partap Singh, Shri
Parthasarathy, Shri
Patel, Shri Manubhai
Patel Shri N.N.
Patil Shri Anantrao
Patil Shri S. D.
Patodia, Shri D. N.
Radhabai, Shrimati B.
Raghu Ramaiah, Shri
Raj Deo Singh, Shri
Rajasekharan, Shri
Ram Dhan, Shri
Ram Sewak, Shri
Ram Swarup, Shri
Ramamoorthy, Shri S. P.
Ramji Ram, Shri
Ramshekhar Prasad Singh, Shri
Randhir Singh, Shri
Ranga, Shri
Rao, Dr. K. L.
Rao, Shri J. Ramapathi
Reddy, Shri P. Antony
Saboo, Shri Shri Gopal
Sadhu Ram, Shri
Saha, Dr. S. K.
Saigal, Shri A. S.
Sanji Rupji, Shri

Sankata Prasad, Dr.
Sant Bux Singh, Shri
Santosham, Dr. M.
Sarma, Shri A. T.
Sen, Shri Dwaipayan
Sen, Shri P. G.
Sethi, Shri P. C.
Sethuraman, Shri N.
Shah, Shrimati Jayaben
Shah, Shri T. P.
Shah, Shri Virendrakumar
Shambhu Nath, Shri
Shankaranand, Shri B.
Shastri, Shri Biswanarayan
Shastri, Shri Sheopujan
Sheo Narain, Shri
Sher Singh, Shri

Shiv Chandika Prasad, Shri
Siddayya, Shri
Siddheshwar Prasad, Shri
Singh, Shri D. N.
Sinha, Shri Mudrika
Snatak, Shri Nar Deo
Solanki, Shri S. M.
Sonavane, Shri
Supakar, Shri Sradhakar
Tapuriah, Shri S. K.
Tiwary, Shri D. N.
Tiwary, Shri K. N.
Uikey, Shri M. G.
Veerappa, Shri Ramachandra
Verma, Shri Balgovind
Vidyarthi, Shri Ram Swarup
Yadav, Shri Jageshwar

MR. DEPUTY-SPEAKER : The result* of the division is : Ayes : 6; Noes : 129,

The motion was negatived.

MR. DEPUTY-SPEAKER : I put Amendment No. 8 moved by Shri B. S. Murthy to the vote of the House.

The question is :

Page 2, line 40,
for "1969" substitute "1970"

THE MOTION WAS ADOPTED.

Mr. Deputy-Speaker!

I will put amendment No. 12 standing in the name of Shri Lobo Prabhu to the vote of the House.

Amendment No. 12 was put and negatived.

SHRI DHIRESWAR KALITA : I withdraw my amendments 13, 14 and 15.

Amendments Nos. 13 to 15 were, by leave, withdrawn.

SHRI LOBO PRABHU : I withdraw my amendment No. 16

Amendment No. 16 was, by leave, withdrawn.

SHRI OM PRAKASH TYAGI : I am not pressing my amendments 20 and 21.

Amendments Nos. 20 and 21 were, by leave, withdrawn.

MR. DEPUTY-SPEAKER : Now the question is :

"That Clause 4, as amended, stand part of the Bill."

SHRI R. D. BHANDARE : The hon. Minister may explain it, Sir,

MR. DEPUTY-SPEAKER : Now we have come to the stage of voting.

MR. B. S. MURTHY rose.--

SHRI MANIBHAI J. PATEL (Damoh) : How can he explain ? You are in the process of voting. (*Interruptions*).

MR. DEPUTY-SPEAKER : I think it is understood what the amendment is.

* The following Members also recorded their votes for Noes :

Sarvashri C. D. Gautain, Om Prakash Tyagi, Ram Gopal Shalwale, Beni Shanker Sharma and Shri M. R. Krishna.

SHRI K. LAKKAPPA (Tumkur) : I rise on a point of order. It is this. At the time of voting, the Minister has no right to make a speech.

THE MINISTER OF PARLIAMENTARY AFFAIRS AND SHIPPING AND TRANSPORT (SHRI RAGHU RAMAIAH) : The point of order is this. The hon. Minister does not want to press the clause. Technically you have said that you will have to vote it down. The amendment moved by Mr. Bhandare is for the deletion of the clause. Now if you are not accepting it, then for technical reasons we have to vote down the clause.

MR. DEPUTY-SPEAKER : Earlier in the debates the Minister sought permission to delete this clause from the Bill. At that time I told him that it was not permissible for him to do so at this stage, but at the stage of voting, if they do not want it, they can vote the clause out.

AN HON. MEMBER : He can withdraw it.

MR. DEPUTY-SPEAKER : He cannot withdraw it. The only thing open to the House is to vote it down. (*Interruptions*)

I think the House has understood the position. Now the question is :

"That clause 4, as amended, stand part of the Bill."

The motion was negatived

SHRI PILOO MODY : In that case Government is defeated, Sir.

Clause 1--(Short Title)

SHRI B. S. MURTHY : I beg to move :

Page 1, line 4,

for "1969" substitute "1970." (6)

MR. DEPUTY-SPEAKER : The question is :

Page 1, line 4,

for "1969" substitute "1970." (6)

The amendment was adopted.

MR. DEPUTY-SPEAKER : The question is :

"That Clause 1, as amended, stand part of the Bill."

"The motion was adopted.

Clause 1, as amended, was added to the Bill.

Enacting Formula

MR. DEPUTY-SPEAKER : There is an amendment to the Enacting Formula. Are you moving ?

SHRI B. S. MURTHY : Yes, I move :

Page 1, line 1,

for "Twentieth" substitute "Twenty-first" (5)

MR. DEPUTY-SPEAKER : The question is :

Page 1, line 1,--

for "Twentieth" substitute "Twenty-first". (5)

The motion was adopted.

MR. DEPUTY-SPEAKER : The question is :

"That the Enacting Formula, as amended, stand part of the Bill."

The motion was adopted.

The Enacting Formula as amended, was added to the Bill.

The Title was added to the Bill.

SHRI B. S. MURTHY : Sir, I move :

"That the Bill, as amended, be passed."

MR. DEPUTY-SPEAKER : The question is :

"That the Bill, as amended, be passed"

The motion was adopted.