

before the date of retirement. Such regularisation/allotments are made within the concessional period admissible to the retiring officer to retain the accommodation.

(b) This provision has been made with a view to mitigate the hardship experienced by retiring officers and their families who cannot afford to hire houses from the private sector after their retirement.

12 Of hrs

**CALLING ATTENTION TO
 MATTER OF URGENT
 PUBLIC IMPORTANCE**

REPORTED EVICTION NOTICES SERVED ON CENTRAL GOVERNMENT EMPLOYEES IN KANPUR

(SHRI S. M. BANERJEE) Kanpur
 Sir, I call the attention of the Minister of Works and Housing to the following matter of urgent public importance and I request that he may make a statement thereon —

The reported eviction notices served on 4,000 Central Government employees, including 3,000 Defence Employees, in Kanpur, living in various houses constructed under the Industrial Housing Scheme.

THE MINISTER OF STATE IN THE
 MINISTRY OF WORKS AND HOUSING
 (SHRI I. K. GUJRAL) A statement is laid on the Table of the House.

Statement

A report has already been called for from the Government of Uttar Pradesh on the reported eviction notices having been served on 4,000 Central Government Employees, including 3,000 Defence Employees in Kanpur living in various houses constructed under the Industrial Housing Scheme. The report has not yet been received.

The Scheme was introduced by the Government of India in 1952 to help the State Governments, Industrial Employers,

and Cooperatives of industrial workers to build houses for providing accommodation at subsidised rents for workers falling within the meaning of section 2(i) of the Factories Act, 1948, and persons employed in mines other than coal and mica mines within the meaning of section 2(h) of the Mines Act, 1952, and whose wages do not exceed Rs 350/- p m.

According to information available with us at present, the Government of Uttar Pradesh, with financial assistance from the Government of India (50 percent loan and 50 percent subsidy), built about 1,000 houses in Kanpur under the Subsidised Housing Scheme for Industrial workers. State and Central Government Employees including those employed in Defence installations are not eligible for allotment of houses built under the Scheme. Central and State Governments are expected to build houses for their employees (whether industrial or non-industrial) wherever necessary, by providing requisite funds in their respective budgets.

2 Initially, the tenements were not very popular with the eligible industrial workers. Some of the tenements also fell within the security zone of certain Defence installations in the area and the local military authorities were not in favour of such houses being allotted to outsiders. In view of these factors, and in order to save themselves from loss of revenue, the Government of Uttar Pradesh allotted about 500 tenements to ineligible persons (which included employees of Defence establishments as well), in contravention of the provisions of the Scheme. Ever since the matter came to the notice of my Ministry in 1953, efforts have been made to persuade the Government of Uttar Pradesh to get the houses under the occupation of the ineligible, vacated so that these could be allotted to eligible industrial workers for whom these were built.

3 Expressing their inability to secure vacation of the houses occupied by the Defence employees, the Government of Uttar Pradesh, as an alternative solution, proposed that such houses might be purchased from them by the Ministry of

[Shri I K Gujral]

Defence This proposal was not acceptable to the Ministry of Defence. At a high level meeting held on 21st October, 1965 among the Minister of Defence, the then Minister of Works and Housing and the representative of the State Government, it was decided that the State Government could transfer such houses from the Subsidised Housing Scheme for Industrial Workers to the Low Income Group Housing Scheme w e f 1st April, 1966 and repay the subsidy to the Government of India (as if it had been drawn as a loan) over a period of 20 years with interest thereon from the said date. The Government of India, as a measure of solution to this long pending problem, offered to waive the interest on the subsidy portion upto that date. This procedure would have enabled the Government of Uttar Pradesh to allot the houses to the Defence employees and others falling within the low income group i e those whose income did not exceed Rs 600/- per month.

4 The above decision was communicated to the then Chief Minister of Uttar Pradesh on 13th January, 1966. In November, 1966, the State Government communicated their inability to accept the above decision, and reiterated their earlier stand that the Ministry of Defence should purchase these houses. Since purchase was not acceptable to the Ministry of Defence the State Government were advised in April, 1967 to send their alternative proposal. In July 1969 the Government of Uttar Pradesh suggested enlargement of the scope of the scheme so as to cover the Defence Employees. Such a suggestion was also made by the Ministry of Defence. In view of the wide repercussions that it would have on the scheme all over the country, it could not be agreed to by this Ministry. The Government of Uttar Pradesh again stressed in January 1970, that the only logical and desirable solution to the problem would be for the Ministry of Defence to purchase the houses. This suggestion was again commended in May, 1970 to the Ministry of Defence drawing their attention pointedly to the fact that a large number of houses happened to be located within the security zone, and these should not ordinarily be

occupied by those not in the employment of Defence establishments. The matter is under consideration by the Ministry of Defence.

6 Even though the houses have been built by the State Government with 100% Central financial assistance, the ownership and management of the houses vest in the Government of Uttar Pradesh, and they are fully competent to deal with the ineligible allottees according to their rules etc.

SHRI S M BANERJEE They should read the statement. They are setting a very bad precedent.

SHRI I K GUJRAL That is not the intention.

MR SPEAKER I don't agree that it is a precedent. If the statement is short it should be read, but if it is long, it should not be read. We have been following this.

SHRI S M BANERJEE This statement was circulated to us at about 11 O' clock. But, sir, there are certain cases when we get the statement only 15 minutes in advance.

MR SPEAKER You come to me with a Motion and you give only 5 minutes for me!

SHRI S. M BANERJEE You know more than the Minister.

MR. SPEAKER All are human beings. If it is your case, you say all that.

SHRI S M BANERJEE This was circulated at about 11. But in future, kindly see that they are giving sufficient time, because, this is almost a direction from you.

MR SPEAKER It must be issued giving quite reasonable length of time.

SHRI S M BANERJEE In the Statement the hon Minister has narrated the whole case. I am reading from the statement, which says:

'Some of the tenements also fell within the security zone of certain Defence installations in the area and

the local military authorities were not in favour of such houses being allotted to outsiders. In view of these factors, and in order to save themselves from loss of revenue, the Govt. of U. P. allotted about 5000 tenements to ineligible persons..."

at that time they were 'ineligible'...

"...(which included employees of Defence establishments as well...), in contravention of the provisions of the Scheme. Ever since the matter came to the notice of my Ministry in 1958,..."

that is, Mr. Gujral's Ministry...

"...efforts have been made to persuade the Government of Uttar Pradesh to get the houses under the occupation of the ineligibles, vacated so that these could be allotted to eligible industrial workers for whom these were built."

Sir, the history of the case is like this.

When Pandit Jawaharlal Nehru visited Kanpur in 1956 and inaugurated the Employees' State Insurance Corporation there he visited some slum areas and he made the historic statement—"Why not burn the slums." That was his outburst, Sir, that these slums should be burnt, they should be demolished razed to the ground, and new houses constructed.

As a result of the late Pandit Nehru's announcement in Kanpur in 1956, these houses came up, and the first colony which was set up was called the Babu Gurba colony in memory of Babu Gandhi. These houses were constructed on land which virtually belonged to the Defence establishment, that is, the Central Ordnance Depot. Because of this, when the commandant of that depot, namely Col. R. G. Naidu threatened to demolish these houses; these houses were allotted to the defence employees working in the Central Ordnance Depot. Since 1958, nearly 3000 of these houses have been occupied by the Defence employees, and

1000 more houses occupied by the Postal and Telegraph employees and other employees belonging to the Central Government undertakings. There was a signed agreement with the Labour Commissioner or rather with the housing Commissioner of U. P. in Kanpur. These employees were paying regular rent. They are in authorised occupation. I can see that with all the honesty at my command, and this can be checked up. Now, suddenly they have become ineligible because of the rules framed by the Central Government which do not permit any employee other than an industrial employee under the provisions to occupy those houses,

This question was referred to the Defence Ministry and to the Defence Ministers Shri Jagjivan Ram, Shri Swarn Singh and Shri Yeshwantrao Chavan. When the Defence Minister Shri Jagjivan Ram went to Kanpur, he virtually made a definite statement that no employee was going to be evicted, and the occupation would be regularised.

Then, the suggestion came from the WHS Ministry that those houses might be purchased by the Defence Ministry. This matter is still under consideration.

Then, what did the UP Government do? I do not blame the UP Government in any way, because the Chief Minister of UP, and the Labour Minister of UP told us very frankly that if the rules were amended to include the defence employees and all other industrial employees and all employees working in the Central Government undertakings and the discrimination was removed, their occupation could be regularised.

The other day, that is, on the 15th November, 1971, I had put a question to the hon. Minister:

"(a) Whether the Ministry of Defence has approached his Ministry to agree to change the rules of allotment of houses constructed under the Industrial Housing Scheme in Kanpur and other places to include the Central Government employees working in the Defence industry and other Central Government undertakings; and

(b) if so, whether the rules have been amended and if not, the reason for the same?"

The answer was :

"(a) Yes, The Defence Ministry had appealed to the WHS Ministry to change the rules."

But then the answer to part (b) of the question was -

"The question of amending the rule does not arise because an amendment of this nature would have adverse repercussions on the provision of houses to the employees of all Government undertakings not liable to income tax and departmental undertakings all over the country."

I am surprised that today when we are supposed to be moving towards socialism, as they claim, there is a discrimination between employee and employee, between an industrial worker producing things in an ordnance factory and an industrial worker manufacturing cloth in a textile mill or working in a jute mill etc. This discrimination between an employee working in an ordnance depot and an employee working in a jute mill or a textile mill should be done away with

The situation is extremely explosive, and we must thank you, Sir, for giving us an opportunity to raise this issue. Rents are not being taken from them. Each employee who is staying there has been given notices of damage charges to the tune of about Rs 3000 to Rs 4000, and there is a notice that the *kuzli* Amin and Housing Commissioner would be visiting the place after the 30th of this month to auction their belongings. If the situation came to this, then it would affect about 3000 employees defence employees working in the defence production units, which is the prime need of this country today, and about 1400 employees belonging to the RMS and telegraph and telephone and others who are doing their best in the interests of the country at this crucial

hour. If their belongings are auctioned, and they are thrown out of the houses along with their family members, it is bound to become a law and order situation.

Therefore, in all humility, I would appeal to Shri I K Gujral and Shri Uma Shankar Dikshit, both of whom know very well what is happening at this particular juncture in Kanpur to have another meeting with the Chief Minister, the Housing Minister and the Labour Minister of UP and the Defence Ministry officials, and till such time, those people should not be asked to pay damage charges to the tune of Rs 3000 to Rs 4000, and these auction notices and eviction notices should be withdrawn

From the statement I find that it is said

"The matter is still under consideration by the Ministry of Defence."

When the Defence Ministry is considering the matter and when the UP Government are sympathetic, and when these men have spent nearly 10 to 13 years in these houses and there is an agreement signed by them as tenants, why should they be evicted at this hour and thrown out of these houses, since they cannot get other houses to live in now? The Government of India have no money to construct suddenly 4000 houses. When they have been living in these houses and paying Rs 13 or Rs 14 or Rs. 15 and regularly, why should they be evicted?

I do not want to make it a fighting issue as such. Nor am I trying to provoke the hon. Minister or threaten him with dire consequences, but definitely, it is a question of law and order. At this hour when the unity of the country is our primary interest and we want the unity of the country and we want to unite all the employees, let there be no discrimination between employee and employee, an employee working in a departmental undertaking or a public sector undertaking and an employee working in an industry. Let

the rules be amended, and till such time these notices should be withdrawn, and the Chief Minister may be asked to find out ways and means to solve the problem.

I would ask the hon Minister to give a definite reply which may allay the lurking fear in the minds of these 4000 employees who cannot possibly work in the ordnance factories, all the time thinking that they and their family members including children and their luggages would be on the street the next day. This assurance can be given by the hon. Minister immediately, and that is my earnest request.

SHRI I. K. GUJRAL : I might clarify one thing from the very beginning, namely that no eviction notices have been served on the occupants either on the initiative of the Central Government...

SHRI S. M. BANERJEE : Eviction and damage notices have been sent to the tune of Rs. 4000 or so.

SHRI I. K. GUJRAL : Neither eviction notices nor damage notices have been issued either on the initiative of the Central Government or at the behest of the Central Government. This should be very clearly understood. I have learnt for the first time now after I had received the calling-attention-notice that some such notices have been served by the State Government. The Housing Minister of the State is meeting me tomorrow, and I shall take this issue up with him about the eviction or damage notices.

So far as the main issue is concerned, these houses were built under the Industrial Housing Scheme. The genesis of the Industrial Housing Scheme is that the different State Governments are given 50 per cent loan and 50 per cent subsidy for building such houses. About 16,000 houses were built by the U.P. Government on this basis, and we gave them 50 per cent loan and 50 per cent subsidy. But for some reason these houses were not given to industrial workers.

My hon. friend Shri S. M. Banerjee is not the leader of only the defence production unit employees, but is also a leader of industrial labour, I presume....

SHRI S. M. BANERJEE : But they were not occupying it, I think I am being misunderstood....

MR SPEAKER : Let the hon. member hear the answer of the hon. Minister now.

SHRI S. M. BANERJEE : I am not raising a controversy now. But they were not occupying it.

MR SPEAKER : Let him listen now to what the hon. Minister has to say.

SHRI I. K. GUJRAL : Whatever the reasons might be, these houses were given to employees other than industrial workers. So, they had three options open to them. One option was that the Defence Ministry should take over these houses and give them to their own employees on whatever terms and conditions they liked. So, we took the matter up with the Defence Ministry time and again, but unfortunately we did not succeed with them, and they would not agree. The Defence Ministry suggested that we might sell the houses to the occupants. We requested the State Government to explore that possibility also. But only two or so odd applications were received, and most of the people were not interested in purchasing the houses. We wanted those houses to be converted into houses under the low income housing scheme.

Another option that arose was that the U. P. Government might take over these houses and refund the money given to them under the Industrial Housing Scheme, but the U. P. Government were not willing to do so.

The difficulty, so far as we are concerned, is that we are averse to giving it to the Defence Production unit for only one reason, not because we discriminate between an industrial worker and an industrial worker, but because if Government starts giving subsidy for housing its own employees under one Department or the other, then Shri S. M. Banerjee will come forward tomorrow and say that the housing scheme for industrial workers is not

[Shri I. K. Gujral]

making any progress and all the money is getting absorbed in this. Now even at this stage, we have only approached the Defence Ministry again that they may take them over at cost, and the cost is very low—about Rs 3,000 to Rs 4,000 per unit—at book value. We are willing to give at that value also.

The only point is, if we get back this money, which is not going to the Consolidated Fund, this money will be used again for industrial housing, because the industrial housing is badly needed in this country. There is an extreme shortage of industrial housing. Either the Uttar Pradesh Government should take them over and refund the money or the Defence Ministry should take over and refund the money. If my friend feels that the money for industrial housing should be used for housing Government servants, I think tomorrow he will come back or his friends will come back with a great deal of grievance, because we are keen that not only Government servants should get houses, but people who are not in the Government service should also get houses.

In this case, I for one feel that the Defence Ministry on the Defence Production Unit—should have taken over those houses long ago, because some of the houses are built in the security zone and that is why even when they sell them to others, I think it is a risk even then because the property will pass from one hand to the other and a stage might come when they do not like the people to be sitting or staying in the security zone itself. That is why we have pointed out these facts, and I am sure this will be sorted out very soon. So far as the eviction and damages are concerned I will bring it to the notice of the State Minister of Housing tomorrow when he comes tomorrow.

THE MINISTER OF WORKS AND HOUSING AND HEALTH AND FAMILY PLANNING (SHRI UMA SHANKER DIKSHIT) May I add a few words? I feel I have gone through it yesterday—that something has gone wrong somewhere in my opinion. It is a matter of co-ordination. The Uttar Pradesh

Government or the Defence Ministry along with our Ministry have to find a solution instead of asking the occupants to get out. I hope we shall be able to sort it out.

These are some of the delays and puzzles in the democratic processes whether three or four departments and the State Government are concerned. I assure the house that we will try to sort it out as quickly as possible.

SHRI INDRAJIT GUPTA (Alipore) Sir, after the Minister's reply, I do not suppose any more information will be forthcoming. As Mr. Dikshit has just intervened, I would like to raise one or two questions. He says this is a question of lack of co-ordination in the democratic system. If you go through this statement reciting the whole history of this case, it will be quite clear that this is quite a scandalous story of bureaucratic bungling, not only bureaucratic bungling but the inter-ministerial and is between the Central Government and the State Government—a criminal callousness and negligence towards this whole question. It has been dragging on for years. From his statement, it first came to the notice of the Ministry in 1958. It is now 1971, almost over now. Now, we are told these houses were built in the security zone of the defence undertaking. But why were they built in the security zone? Was it not known to be the security zone at that time? Kanpur is one of the biggest centres of Defence production in this country, and I am very sorry that this matter has come to a head at a time when the whole world will know that when this country is ending up its loans to defend its borders against the possibility of a foreign attack, at such a time, thousands of defence workers who are involved in defence production are facing the uncertainty about where they are going to live with their families tomorrow. Is this matter to be brushed aside so easily? Therefore, what I would say is that these Ministries of Works and Housing, Defence, and so on should cease to function as independent empires, they run according to their whims and they do not have the minimum amount of co-ordination with each other. These houses

were allowed to be built in the security zone, and these defence employees were allowed to become the allottees of these houses; they have not trespassed; they have not forcibly occupied these houses Mr. Banerjee has quite correctly said that they have entered into an agreement. A tenancy agreement was made with them and, therefore, they are all lawful occupants; they are not unlawful occupants in any sense of word. Therefore, the Defence Ministry which of course is under an obligation to build houses for its own employees but possibly is notable to spare money from its huge defence budget at this moment because of the other priorities, are being given the option of taking over these houses at cost price; even that they are not prepared to do. The Ministry here says that it cannot change or relax the rule because it will have repercussions throughout the whole country. Are these technical rules, inter-ministry wranglings and bunglings to be allowed to go on at this time when the defence production employees are facing the danger of eviction? It is scandalous and should not be allowed to be brushed aside so lightly. Therefore, it is not only a question of stopping these evictions or damage notices; that, I am sure, the Ministry will try and do; but some early remedy must be sought to this particular problem and this must be put on a proper and stable footing. Either the Defence Ministry or the Works and Housing Ministry or the State Government has got to take the responsibility; they cannot go on passing the buck to each other in this way. This is supposed to be one Government, not so many separate Governments in each Ministry.

Therefore, I should like to know, apart from stopping these notices, what is the concrete line of thinking of the Minister so that they can get some early solution to this problem so that it can be settled once and for all?

SHRI I. K. GUJRAL : I may say this, that whatever discussions might have been going on in the past between the two Ministries at the Centre and the U. P. Government, so far as the occupants are concerned, they are not to be bothered. Let

that be clearly understood... (Interruptions.) I shall see that they are not evicted. That is our stand clearly.

So far as financial adjustments are concerned, whether this Ministry or that Ministry bears it or the U. P. Government bears it that is an inter-ministerial adjustment which will be made. I can assure here and now that so far as the occupants are concerned, they will not be bothered.

श्री सज्ज पांडे (गार्जापुर) : माननीय दीक्षित जी ने कहा है कि उत्तर प्रदेश सरकार से इस मामले पर बातचीत वह कर रहे हैं। लगातार इसी तरह के आश्वामन इस सदन को दिये गये हैं। पिछली बार जब बक्स हाउसिंग मिनिस्ट्री की डिमांड पर बहम चल रही थी तो मैंने सवाल को उठाया था। तब भी श्री गुजराल ने कहा था कि ये लोग नहीं निकाले जायेंगे। इसके बावजूद उनको नोटिसें दी गईं हैं। यही नहीं बल्कि उनसे डेमंडिज चार्ज किये जा रहे हैं। मैं जानना चाहता हूँ कि क्या फोरन आदेश जारी होंगे कि उन से डेमंडिज चार्ज न किए जायें और आगे नोटिस न निकाले जायें? तब तक दोनों सरकारें बैठकर बातचीत न कर ले, तब तक के लिए इस तरह के आदेश फोरन अधिकारियों को दिये जायेंगे?

श्री आई० के० गुजराल : उत्तर प्रदेश के हाउसिंग मिनिस्टर यहाँ आ रहे हैं। उनके साथ बातचीत करके मैं सारे मामले को हल करने की कोशिश करूँगा।

SHRI JYOTIRMOY BOSU (Diamond Harbour) : May I take two submissions?

MR. SPEAKER : I will not allow, unless I have notice of them.

SHRI JYOTIRMOY BOSU : I have given notice and I want your ruling. One is about the Finance Secretary. What he said has been widely covered and it does not require verification. Mr. Pandey has been reported and what he has said has been given full coverage by the National press.

[Shri Jyotirmoy Bosu]

The second thing is about tomorrow Last year Guru Tegh Bahadur's Martyrdom day was a holiday

श्री अटल बिहारी वाजपेयी (बालियर) .
कल अगल गुरु तेगबहादुर जहीद दिवस है तब तो.....

MR. SPEAKER I have no information.

SHRI JYOTIRMOY BOSU I want your ruling.

MR. SPEAKER No Ruling is required on holidays It is not my job to declare holidays.

SHRI JYOTIRMOY BOSU Why not ? You are the supreme head of this House

MR. SPEAKER You do not recognise it sometimes

12.26 hrs

QUESTION OF PRIVILEGE AGAINST NAVBHARAT TIMES

MR. SPEAKER I may inform the House that on the 10th August, 1971 Shri B P Maurya raised a question of privilege in respect of an article published in the *Navbharat Times*, Delhi, in its issue dated the 6th August, 1971, allegedly casting reflections on him

I then said that the Editor of the newspaper would be addressed to state what he had to say in the matter

The Editor of the newspaper sent me a letter dated the 11th August, 1971, in which he had stated *inter alia* as follows —

"We had no intention of hurting the feelings of the Member or the Honourable House As Mr B P Maurya has taken objection to the publication of this item, as Editor of the paper, I hereby tender my apologies to the Member and to the Honourable House."

I passed on a copy of the Editor's letter to Shri B. P. Maurya. As desired by Shri Maurya, the Editor of the newspaper was asked to have his own and the writer *Viveki's* apology published in the *Navbharat Times*. This, the Editor has done in the issue of the newspaper dated the 24th September, 1971. Shri Maurya in his letter dated 18th November, 1971, to me has said that in view of the apology published by the newspaper, the matter may be treated as closed

So, the matter is closed

As far as this privilege motion raised by Shri Jyotirmoy Bosu is concerned, I have my own doubts about it

SHRI JYOTIRMOY BOSU (Diamond Harbour) I have not raised a privilege motion I only want to raise it before the House under rule 377

MR. SPEAKER It is not a matter to be brought up under rule 377 Shri Bosu says in his letter to me

"That the Finance Secretary Mr B D Pendey has reportedly disclosed on Saturday before a Tax Executives' Conference organised by the Indian Chamber of Commerce and Industry in New Delhi that a new Central Excise Bill is proposed to be introduced during the next session

'I maintain that these utterances on the part of a civil servant had not been quite proper particularly when parliament "

I agree, but I have to examine it It should have been the Minister to give the intention of the business and not the Secretary. When the House is sitting Many things are within your knowledge, and sometimes they creep out, but especially a responsible person like the Secretary should be very careful about his observations. I am going to examine it and later on let you know as to what comes out

SHRI P. K. DEO (Kalabandi) : I wrote to you...