

I will not permit; I am within my rights.
(Interruptions)

The question is :

"That the Bill, as amended, be passed."
The motion was adopted.

SHRI S. KUNDU : You cannot shut us out like this. You cannot do like this.
(Interruptions)

14.35 Hrs.

DELHI AND AJMER RENT CONTROL (NASIRABAD CANTONMENT REPEAL) BILL

THE DEPUTY MINISTER IN THE
MINISTRY OF DEFENCE (SHRI M. R.
KRISHNA) : Sir, on behalf of Shri Swarn
Singh I beg to move :

"That the Bill to repeal the Delhi and Ajmer Rent Control Act, 1952, as in force in the Cantonment of Nasirabad, as passed by Rajya Sabha, be taken into consideration."

Prior to the integration of Ajmer which was a Part 'C' State with Rajasthan this Act was in operation in that area. After the integration, the Rajasthan State passed the Act known as Rajasthan Premises (Control of Rent and Eviction) (Amending and Extending) Act of 1957 and they said that this Act will also be enforced in the area of Nasirabad Cantonment from 27th November, 1957. When this State Act was extended to Nasirabad Cantonment, a case was filed in the High Court of Rajasthan and the High Court of Rajasthan ruled that the Rajasthan Act cannot be applied to the Nasirabad Cantonment since the Cantonments are governed by a specific Act passed by Parliament. Therefore, the Rajasthan Government wanted the Central Government to repeal the present Act so that the State Act could be extended to Nasirabad Cantonment also.

Sir, this Bill is a repealing Bill, it is very simple and its scope is very much limited. This was passed by the Rajya Sabha on 13th February. I hope this House will pass the Bill without any opposition to it.

MR. DEPUTY-SPEAKER : Motion moved :

"That the Bill to repeal the Delhi and Ajmer Rent Control Act, 1952, as in force in the Cantonment of Nasirabad, as passed by Rajya Sabha, be taken into consideration."

SHRI LOBO PRABHU (Udipi) : Mr. Deputy-Speaker, Sir, I must begin by dis-appointing the Minister because I am not able to help him in passing the Bill just like that. This Bill is a very important Bill because it involves many questions. I do not know how the Ministry of Defence has become involved in rent control. This is a Bill which should have been taken up by the Ministry concerned with rent control because this is repealing not an Act of Cantonment but an Act passed by the Ministry of Law or the Ministry of Home Affairs. The Bill which they are trying to repeal today applies not only to the Cantonment of Nasirabad but also to the Municipality of Ajmer and all land within one mile of that Municipality and the Municipality of Beawar which, presumably, is also in the State of Rajasthan and, therefore, subject to the Rajasthan Act.

My first point is that this Bill has been put up by the Ministry which is only transiently concerned with it. This Bill does not apply to all the other areas which have become subject to the Cantonment Act of Rajasthan State.

My second point, which I have moved as an amendment and which is rather important, is that, instead of the word 'is', the word 'was' should be used in this legislation because this Bill must be given a retrospective effect. The position is that, after the amending Act was passed in 1957, the Ajmer Act came into effect. Then many transactions took place and much litigation took place under the Ajmer Amending Act, and in 1962 when the High Court held that the Ajmer Extending Act was illegal, the position reverted to what it was before 1957 and the Delhi and Ajmer Act came into effect. What we are concerned with is to legalise the gap between 1957 and 1962 when the Rajasthan Extension Act applied. For that reason this Bill must have a retrospective effect and must go back to 1957. The State Government itself is not competent to legalise this position because this is a Central Act and we have to extend it back to 1957 if the State Government is to apply their Act for that gap of time. There were two Acts which came into effect during this period, 1957 to 1962. I hope, I am sufficiently clear. (Interruptions). This is my first point.

Now I come to the general question of rent control. I have to examine the Delhi

and Ajmer Rent Control Act in some detail. The Rajasthan Amending Act was not available to me till just now to enable me to comment on it.

The Delhi Act raises a very important question whether this rent control is serving the people. Any legislation passed in this House must keep in view the interests of the people. It happens that under the Delhi Act there are no less than five or six different classes of rents fixed. Rents fixed before 1939 cannot be raised except by 12½ to 25 percent; rents fixed upto 1945 are allowed as they are; after 1945, you have got various other classes of rents; there is the standard rent which can be fixed under this Act—I shall comment on the standard rent later exhausting the classes of rents—; then you have the rents of houses recently built which are exempt from rent control for a period of five years; and then you have got the class of rents which government servants and we, Members of Parliament, pay, which are not at all related to the other rents. There is a complete confusion; not only confusion, there is a certain amount of inequity in having these rents. Why should a man who has had the misfortune of letting his house before 1939 get only a fraction of the rent? He gets something like Rs. 100 for Rs. 1,000...

SHRI R. D. BHANDARE (Bombay Central) : On a point of order, This Bill seeks to repeal the Delhi and Ajmer Rent Control Act...

SHRI LOBO PRABHU : Under which rule is he raising the point of order? He just goes on making a speech without referring to the proper rules. (Interruptions)

SHRI R. D. BHANDARE : If the hon. Member would like to object to the repealing of the Act, then he has a right to speak about these things. When we are seeking to take the Act out of the Statute Book, how can he deal with matters which are sought to be repealed *in toto*. It is a very ticklish, peculiar and unheard of thing that we are doing by allowing the hon. Member to say something on the Act which is sought to be repealed or taken out of the Statute Book. If he has any objection to the repealing of it, then I would certainly appreciate his point of view.

SHRI LOBO PRABHU : This is not a point of order. This is an argument. I think I should be allowed to develop my argument on this point. We are repealing this

particular Act, but I am making a case for repeal of this Act even in Delhi, if you like. The position is this, that the Rent Control Act is extremely unfair to the different parties involved. We have also got this position that on account of rent control, fantastic rents are collected on one side, something upto Rs. 2,000 for the same kind of accommodation which is available to other parties at Rs. 25 or Rs. 50. Now, is that a fair proposition? This point arises from the Act which we are presently considering. Not only that. There is another factor. Because of such Rent control rules, the housing activity is very much repressed. There is not as much of it as is necessary; and it is left for people who have motives to profit or to get high rent. So, I would say that the Delhi Act is thoroughly bad and it does deserve to be repealed. I would go a little further and say that this question has raised the difficulties of the people of this city of Delhi also. The Government had, under their Master Plan, immobilised about 48,000 acres of land. Of this some 40,000 acres have been recently returned. I am told that about the remaining 8,000 acres, efforts are being made to let the land to those who are willing to have it. This has relevance to rent control because if houses are easily available rent control becomes not so important, it becomes redundant. So, I would like the Government—it is not Ministry of Defence, because they are not concerned with Housing in Delhi, but I would like the Government as a whole—to consider the Housing policy and Rent Acts, because they are not in the interest of the people.

श्री श्रीलाला नाथ मास्टर (अलवर) : उपाध्यक्ष महोदय, यह बिल जो सदन में पेश किया गया है, वह एक बहुत जरूरी बिल है। अभी माननीय लोबो प्रभू बोल रहे थे, वे स्वयं मानते हैं सात वर्ष पुरानी गलती की दुरुस्ती के लिए यह बिल आया है। देर आयद, दुरुस्त आयद। सात वर्ष के बाद आखीर में सरकार को इस बात का खयाल आया कि वहां के लोगों को जो कठिनाइयां हैं, उनको दूर किया जाए। मुझे मालूम हुआ है कि पिछले माल नहीं बल्कि सन् 1966 में ही कैबिनेट ने तय कर दिया था कि इस ऐक्ट को रिपोल कर दिया जाय। ... (व्यवधान) ...

SHRI R. D. BHANDARE : There is no specific rule as such. But you can determine the point once for all, Sir.

MR. DEPUTY-SPEAKER : The question is, there is a certain legislation and certain enactment which is sought to be repealed. Unless he has an objection for repealing that Act there is not much point. But what I felt was, that, taking advantage of this measure which has just come before the House, he wanted to ventilate certain grievances regarding the present rent control administration. That is all.

SHRI SRINIBAS MISRA (Cuttack) : Sir, I have a question. You may take it as a Point of Order, in the Bill as it is given to us—I have no objection to the Bill—there is no Statement of Objects and Reasons, Sir.

MR. DEPUTY-SPEAKER : In the original Bill as introduced, the Statement of Objects and Reasons was there.

SHRI SRINIBAS MISRA : Even if it is a repealing Bill, the Statement of Objects and Reasons must be there.

SHRI K. NARAYANA RAO (Bobbili) : The normal practice is that there is no Statement of Objects and Reasons appended to a Bill as passed by Rajya Sabha.

MR. DEPUTY-SPEAKER : I have seen the Bill as it was introduced and the Statement of Objects and Reasons was appended to that.

SHRI SRINIBAS MISRA : But we did not have the opportunity of knowing what it was.

MR. DEPUTY-SPEAKER : The Bill as introduced and as passed by Rajya Sabha have both been circulated to hon. Members already.

SHRI S. KUNDU (Balasore) : There should be no discrimination, and all Bills coming up here should have the Statement of Objects and Reasons appended to them.

श्री मोला नाथ मास्टर : उपाध्यक्ष महोदय, सन् 1961 में ही राजस्थान ऐक्ट के बारे में हम लोगों ने अपनी राय जाहिर कर दी थी और होना यह चाहिये था कि 1961 में ही

यह रिवोलिंग ऐक्ट आ जाना चाहिये था। लेकिन जैसा पता लगा क्योंकि इसमें दिल्ली का नाम था और यहां के लोग बहुत नज़दीक रहते हैं इसलिये उन्होंने होम मिनिस्टर से बातचीत करके एक कानून बनवा लिया। लेकिन राजस्थान वाले बाहर रहते हैं, वह सरकार के पास नहीं आ सके, और बताया गया कि यह डिफेंस मिनिस्ट्री से सम्बन्धित है और कैंटूनमेंट एरिया के बारे में डिफेंस मिनिस्ट्री का सर्कुलर निकलना है, या घोषणा गज़ट में साया होती है और उसके बाद ही लागू होता है और इस कठिनाई की वजह से यह बिल रक्षा मंत्रालय की तरफ से लाया गया है। और यह बहुत आवश्यक बिल है क्योंकि जो सात वर्ष से दुख पा रहे हैं, और जैसा कि माननीय लोबो प्रभु भी कह रहे थे, तो उनको ठीक कीजिये लेकिन इस बिल को जल्दी से जल्दी पास कीजिये ताकि जो सात वर्ष से गलती चली आ रही है वह ठीक हो जाए। इन शब्दों के साथ मैं इस बिल का समर्थन करता हूँ।

SHRI DHIRESWAR KALITA (Gauhati) : I have not quite been able to understand the purpose of the repealing Bill. I believe from 1963 onwards the Nazirabad Cantonment is being developed and a bigger area is now being covered. If the Act is repealed, then the people living in the Nasirabad cantonment area who are paying fair rent now under this Act will be deprived of that benefit. I would like to know what protective measures Government have taken in order to protect those people. I feel that by the repeal of this Act, the people there will be put to a lot of suffering. The Nasirabad area is growing generally, and defence personnel will be there and their families will be there and centering round them, several other people will be there. All those people will not get this benefit if this Act is repealed.

MR. DEPUTY-SPEAKER : If he looks into the Statement of Objects and Reasons he will understand the necessity for this Bill. It has been necessitated because of a High Court judgment.

SHRI DHIRESWAR KALITA : I know that. But I would like to know what measures Government are taking in order to give protection to those people. This Bill is only a repealing Bill because it is negative in character. What measures are Government going to take in order to protect those people ?

Then, I would make a brief reference to Assam and I hope Shri R. D. Bhandare will not raise any point of order.

SHRI R. D. BHANDARE : When I have not heard any point at all, why should I raise any point of order ?

SHRI DHIRESWAR KALITA : Assam is now a land of cantonments. From 1962 onwards, in every city and town and almost in every village, so many divisions of military personnel have been stationed. Under the Defence of India Act and the rules thereunder the Government of India are acquiring houses; in fact, in the Gauhati town, they have acquired not merely ordinary houses but even the bungalow of the principal of a college, as a result of which several clashes between the students and the military personnel have been there. Therefore, I feel that the Ministry of Defence should think in terms of bettering the relations with the people and the military personnel in Assam. In Assam the main cantonment is at Shillong, but in every town, every village etc. the Government of India are requisitioning houses, agricultural lands etc. Since this Bill is a negative Bill, the people do not get any protection. It may be that this Bill has been brought forward because of a High Court ruling.

MR. DEPUTY-SPEAKER : May I point that we are not considering now the administration of cantonments or the relations between the people in those areas. This is only a repealing Bill necessitated because of the High Court ruling. The other Rent Control Act will still be there in force, once this is repealed.

SHRI DHIRESWAR KALITA : I do not think that you are correct. This Act was extended to give relief to the people residing in the Nasirabad Cantonment area. When this is repealed, under what law will they get protection. The hon. Minister has not answered this point. So, I feel that some measures should be

taken by the Ministry of Defence to give protection to the people residing in that area.

SHRI K. NARAYANA RAO : Before I say a few words in respect of what Shri Lobo Prabhu has said, I would first like to answer the point raised by my hon. friend who spoke just now. He had instilled in us a doubt and created the impression that there was going to be a vacuum after the repeal of this Act.

My hon. friend perhaps is thinking that the repeal of this Act is going to be automatic after the passing of this Bill. But I would submit that it is conditioned on the notification that is to be issued by Government under section 3 of the Cantonments (Extension of Rent Control Laws) Act, 1957. Clause 2 reads thus :

"The Delhi and Ajmer Rent Control Act, 1952, as in force in the Cantonment of Nasirabad, shall stand repealed on the date on which the Rajasthan Premises (Control of Rent and Eviction) Act, 1950 is extended to that Cantonment by notification under section 3 of the Cantonments (Extension of Rent Control Laws) Act, 1957."

So, this Bill envisages first that the Rajasthan Premises (Control of Rent and Eviction) Act, 1950 would be extended to this area by virtue of the power given to issue a notification under section 3 of the Cantonments (Extension of Rent Control Laws) Act, 1957. It is from the date of such notification that this Act would be repealed.

My hon. friend Shri Lobo Prabhu has pleaded for the insertion of the word 'was' in place of 'is'. I would submit that 'is' is the correct word which should be there. The notification would come into operation only after the present Bill has come into force. Therefore, the word 'is' is the relevant word. If you put the word 'was' there, it would make a nonsense of the entire clause.

SHRI DHIRESWAR KALITA : May I ask one question of my hon. friend ?...

MR. DEPUTY-SPEAKER : The hon. Member had had his say already. No new point is being brought up but he is only explaining the provisions of the Bill.

SHRI K. NARAYANA RAO : Shri Lobo Prabhu had felt a little intrigued at the fact that this Bill had been sponsored by the Defence Ministry. I would submit that cantonments belong to the Defence Ministry and as such the Defence Ministry has to sponsor this measure. Of course, rent control may be dealt with by the Home Ministry. But this relates to cantonments and hence the Defence Ministry has taken charge of this Bill. So, there is nothing much to be made out of that point.

With these words, I welcome this Bill and I hope that this House will pass it without delay.

15 Hrs.

SHRI RANJIT SINGH (Khalilabad) : Permit me to say that like most of the actions of the Government, the action of bringing this Bill is also a negative action. I will give a brief history of the Nasirabad Cantonment because it may not be known to you and even to hon. Minister concerned.

Nasirabad Cantonment has, since the times of the British Resident, been treated as a central place of authority in Rajasthan, because from here the Resident could direct forces anywhere in Rajasthan and it is one of the most beautiful Cantonments in the country. It is climatically a very perfect place.

In 1963, this Government brought a Plan for expansion of Nasirabad Cantonment. Originally the plan was for Rs. 2½ crores. It was not a small plan and water was to be brought from a distance of 70 miles through pipes and the water to be brought was mainly to supply the expanded Cantonment of Nasirabad, and was also to feed the entire city of Ajmer and suburbs. This original plan under execution since 1963 was to be completed in 1965, but as you know the Government is very slow in implementing and in sticking to dates. So, this expanded programme is still going on.

The very purpose of a Cantonment is not to have a large civilian population there, but to have a large military population. The entire idea of expanding this Cantonment was to expand the Grenadiers' Regimental Centre there, to have a big supply base there and also to accommodate certain Brigade Headquarters in that area.

With this expansion programme there is bound to be a little expansion of the civil area also, but generally it so happens that even if a Cantonment is expanded so far as the military is concerned, there is very little development in the civil area, the reason being that the military now-a-days is catering by itself for every single need of the soldier, from food to clothing. Even things that previously the soldier bought outside in the civilian area he is now provided with in his own Unit Canteen. Then there is the CSD Canteen which is selling everything from pins to scooters. So what happens at times is that there is a large influx of troops but very little housing accommodation in the civilian area. There is lesser of it in the military area and a lot of people want houses in the civil area.

SHRI R. D. BHANDARE : Canteens and hotels have nothing to do with this, though it may be interesting history.

MR. DEPUTY-SPEAKER : I have already pointed out that we are discussing rent control.

SHRI RANJIT SINGH : I was telling you briefly that the civilian development in the Cantonment area is little even if there is largescale development in the military area because the army is catering to every need of the soldier. When Nasirabad Cantonment was expanded it was expected that a lot of family accommodation would also be available to the troops stationed in the place, but it has not been done. Therefore, all these troops have to rent houses in the civil area. That is where all this background comes in.

The purpose of rent control is two-fold, firstly that rents should not rise abnormally, and secondly there should be some sort of impetus for people to build houses so that there may not be housing shortage as we have in Delhi now. I call this a negative action of the Government because the Act which is being repealed is not being replaced by anything worthwhile. Now you say that from the day it is repealed, the Rajasthan Act will be made applicable. Is it any better than the original one? You say that it is being brought in in order to meet certain observations and objections by the High Court. Again, is that the only occasion when the Government should wake up when the High Court or the Supreme Court passes a

stricture? What I am driving at is that at the moment a Committee is sitting to revise the entire Cantonment Board Act to bring in something quite new, because at the moment our cantonment boards are totally under military authority and there is very little of public authority and very little of public participation and the result is something that we cannot be very proud of. Sir, if you go to a cantonment you find the military area very nice and clean and when you go to the civil area, it is undeveloped and not clean. When that Committee is going on, it would have been something positive if you had brought out such an Act which would have been an improvement on the old Acts in the light of all these years of experience. Some of these Acts date back to 1939, some to 1947 and some to 1950. Why do you not start with a clean slate, something which will help the people who seek the houses and will also give an impetus to those people who want to build houses? Therefore, although there is no point in totally opposing the repeal, I do appeal that while considering the repeal this Government should bring in something positive in its place. I am sure the hon. Deputy Minister, as I know him very well, will bring in something positive after this negative move.

श्री जार्ज फरनेन्सीज (बम्बई दक्षिण) : उपाध्यक्ष महोदय, जो कैंटनमेंट्स हिन्दुस्तान में हैं, उनको उस वक्त को अंग्रेज सरकार ने सन् 1924 में जो कैंटनमेंट ऐक्ट पास किया था वह कैंटनमेंट ऐक्ट अब तक लागू है। पिछले 20-21 सालों से हम से कई लोगों ने यह अपेक्षा ज़रूर रखी थी कि आज़ाद हिन्दुस्तान को सरकार उन अंग्रेजों के यह कैंटनमेंट के लिए बनाये हुए क़ानून को हटाने की या उसमें कुछ तबदीलियां लाने का ज़रूर प्रयास करेगी लेकिन हमारी वह अपेक्षा पूरी नहीं हो पाई है। जो विधेयक आज यहां नसीराबाद कैंटनमेंट रिपील को लेकर आया है वह इतना ही है कि सरकार के जो अधिकार हैं किसी भी सूबे के, मुख्य करके, जो आय सम्बन्धी क़ानून है, उसे कैंटनमेंट पर लागू किया जाये। यह विधेयक बस यहीं तक सीमित है।

जहां तक यह नसीराबाद कैंटनमेंट के लिए राजस्थान प्रीमिसज़ (कंट्रोल आफ रेंट एंड एडिक्शन) ऐक्ट के लागू किये जाने का सवाल है उसका तो हम समर्थन करेंगे क्योंकि उस शहर में कुछ थोड़े से रहने वालों के लिए पलटनी क़ानून न चलते हुए उस सूबे का क़ानून लागू हो जायगा लेकिन मुझे मंत्री महोदय से एक प्रार्थना करनी है कि इस किस्म के विधेयक पर जब भी यहां बहस करने का मौक़ा मिलता है, इस विधेयक पर आप लोग बहस करते हैं तो जो बुनियादी प्रश्न है, ज़रा उसके बारे में भी सोचें। आज हिन्दुस्तान में कितने कैंटनमेंट्स हैं? हकीकत यह है कि वह रोज़ बढ़ते ही जा रहे हैं, कम नहीं हो रहे हैं। अंग्रेजों के लिए यह ठीक था कि वह पलटन को बाकी लोगों से अलग रखने के लिए अपनी एक अलग रियासत बनाते और उस रियासत को अंग्रेज अपने पूरे अधिकार को वहां हमेशा के लिए चलाते लेकिन वही रवैया आज़ाद हिन्दुस्तान में कुछ उचित नहीं जंचता है। एक तो पलटन के हित की दृष्टि से भी और पलटन और आम जनता के बीच जिस किस्म का एक रिश्ता बनना चाहिए उस रिश्ते की दृष्टि से भी यह कोई अच्छी चीज़ नहीं है कि आप दिन पर दिन कैंटनमेंट को बढ़ाते जायें और कैंटनमेंट की एक अलग रियासत बनाते चले जायें। लेकिन उससे भी ज्यादा महत्वपूर्ण बात यह है कि कैंटनमेंट के लोगों को अपने प्रतिनिधियों को चुनने का, मतदान का अधिकार रहना चाहिए और उनके ज़रिए अपने कार्य को चलाने का अधिकार रहना चाहिए।

MR. DEPUTY-SPEAKER : I have pointed out just now that it is not relevant. The object of the Bill is a consequential measure. One Act is to be repealed in order to make room for application of another Act due to certain observations of a High Court. That is the only limited purpose. What you are saying is all relevant so far as the cantonments are concerned. But we are not discussing the broad issues at the present juncture. The purpose of the Bill is very limited. Please confine yourself to that.

श्री जार्ज फरनेन्डीज : मैं इसी सिलसिले में कह रहा था कि इस कानून को ले कर ऐसा प्रश्न खड़ा होगा। अगर कैंटोनमेंट न होते तो इस विधेयक को लाने की क्या आवश्यकता पड़ती ? कैंटोनमेंट हैं इसलिये विधेयक को लाना पड़ता है और इसका जिक्र करना पड़ता है। यह कहना कि इसका सम्बन्ध नहीं है यह गलत होगा।

मैं ज्यादा बक्त न लेता हुआ इतना ही कहना चाहता हूँ कि हमें मंत्री महोदय से स्पष्ट आश्वासन चाहिये कि आने वाले चन्द दिनों में कैंटोनमेंट कानून को अमेंड करने वाला विधेयक यहां लाया जायेगा। आज स्थिति यह है कि अलग अलग कैंटोनमेंट्स में 60 प्रतिशत चुने हुए लोग होते हैं और बाकी पलटनी अफसर रक्खे जाते हैं। पता नहीं आपको इसकी जानकारी है या नहीं, हालांकि आपको जानकारी होनी चाहिये क्योंकि आपके इलाके में काफी कैंटोनमेंट्स हैं, कि सब से बड़ा जो अफसर होता है वह कैंटोनमेंट बोर्ड का प्रेजिडेंट होता है और जो चुने हुए लोग होते हैं उनके पास किये हुए प्रस्ताव को खत्म करने का अधिकार रखता है। इसी तरीके से जो मजिस्ट्रेट रहता है, जो कि कैंटोनमेंट बोर्ड का सदस्य रहता है, उसे भी यह अधिकार रहता है कि वह कहे कि जो प्रस्ताव किया गया है वह उसको मंजूर नहीं है और उसको हटाया जाये। मतलब यह है कि लाखों लोग जो कैंटोनमेंट बोर्ड्स में रहते हैं उनको अपने प्रतिनिधियों को चुनने का अधिकार रहना चाहिये ताकि वह उनके जरिये अपना व्यवहार चला सकें। यदि यह आश्वासन मंत्री महोदय दे दें तभी मेरे जैसे लोग इस विधेयक का समर्थन कर सकते हैं।

SHRI M. R. KRISHNA : The Bill, as I said earlier, is a very simple one; it is only to repeal an Act and to enable the Rajasthan Act to be enforced in Nasirabad cantonment area. As you yourself have said it very clearly, and apart from that, many friends from both sides have supported the Bill and have also said, the purpose of the Bill is limited.

My learned friend Shri Lobo Prabhu was envisaging all kinds of difficulties; per-

haps he may be right when he looks into the State Act and if he finds any deficiencies there, he is quite right in expressing certain difficulties or apprehensions, but our purpose is only to enable the State Act to be enforced in this area and that purpose is very limited, and whatever other difficulties he was having, we will always have them in view.

Shri George Fernandes has said about the Cantonments Act; true, it is a very old Act and it came into existence at the time of the Britishers; it requires a lot of changes but we cannot make all those changes at one and the same time. (Interruption) We have made a lot of modifications in it all the same. For instance, the Station Commander is the presiding officer of the cantonment. But we have brought in a change by executive instructions to the effect that a Vice-President who is an elected person could preside over all meetings which concern the civil areas. The administration of the civil area is almost dealt with by the civil team which is an elected team. This is a new change which has been introduced.

श्री जार्ज फरनेन्डीज : 21 वर्ष हो गये।

SHRI M. R. KRISHNA : The hon. Member has stated, cantonments should not be isolated; but they should be isolated. I am of the view that the cantonments as far as possible should be completely separated from the civil population for various reasons. We do not say that they should not come into contact with the civilian population. We do want them to come, because they are also from the same stock, but still, we would like to give certain extra facilities and take greater care for the welfare of troops, and the 'troops' welfare will have to be looked after, and the cantonment has got special responsibility for both the troops as well as to the people who are engaged in the work connected with the troops and so on.

I think there is very little that I can add to what I have already stated about this Bill. This is only a Bill which is to repeal and I think what the hon. Members have said, namely, that the municipalities and the cantonments should not have a lot of big differences, is correct, we have said that the salaries and allowances which the cantonment employees are getting

should be at par with the salaries and allowances given to the State Government staff. In every respect, we would like the cantonments to be better than the municipalities. If municipalities are well administered, we would like the cantonments also to be improved to serve the defence forces and also the civilian population in the best manner possible.

MR. DEPUTY-SPEAKER: The question is:

"That the Bill to repeal the Delhi and Ajmer Rent Control Act, 1952, as in force in the Cantonment of Nasirabad, as passed by Rajya Sabha, be taken into consideration."

The motion was adopted.

MR. DEPUTY-SPEAKER: We will proceed with the clauses now.

CLAUSE 2—(Repeal of Delhi and Ajmer Rent Control Act, 1952, in force in its application to the Cantonment of Nasirabad.)

SHRI LOBO PRABHU: I beg to move: Page 2, line 3,—for "is" substitute "was" (1)

Sir, the minister has been most conciliatory. In fact, he has accepted that some legal confusion is going to arise.

SHRI M. R. KRISHNA: There is no legal confusion.

SHRI LOBO PRABHU: If he is not conciliatory, I would like him to explain this. Rajasthan Act runs through the whole State of Rajasthan and it can be applied to this cantonment. Why is the Delhi Act applied to this cantonment? You have not yet explained what you are going to do with that gap between 1957 when the Ajmer Act came into effect and 1962 when the High Court struck down the Ajmer Act and the position reverted to the Delhi and Ajmer Act. Of course, so many laws which are not lawful are passed here and one more or less does not make any difference.

MR. DEPUTY-SPEAKER: This observation is too wide. Unless any Act passed by this House is struck down by the highest judicial authority, it is the law of the land.

SHRI LOBO PRABHU: I shall qualify my statement, because you have held that

we can pass any law till the Supreme Court strikes it down. But I do not accept it. I say that this House must pass laws which are absolutely good laws. If you are content to pass any law because you have a majority, the position is different. I have already drawn your attention to this lacuna regarding the uncovered period.

SHRI M. R. KRISHNA: Rajasthan Act is a prospective Act and therefore to change the word 'is' to 'was' is not called for. We have referred all the amendments of the hon. member to the law Ministry. After careful consideration, the Law Ministry have said that they will not fit in with the Bill.

MR. DEPUTY-SPEAKER: I will now put amendment No. 1 to vote.

Amendment No. 1 was put and negatived

MR. DEPUTY-SPEAKER: The question is:

"That clause 2 stand part of the Bill."

The motion was adopted

Clause 2 was added to the Bill

MR. DEPUTY-SPEAKER: Are you moving your amendments?

SHRI LOBO PRABHU: No, Sir; they are consequential.

MR. DEPUTY-SPEAKER: The question is:

"That clause 3 stand part of the Bill."

The motion was adopted

Clause 3 was added to the Bill

Clause 1, the Enacting Formula and the Title were added to the Bill

SHRI M. R. KRISHNA: I beg to move:

"That the Bill be passed".

MR. DEPUTY-SPEAKER: The question is:

"That the Bill be passed".

The motion was adopted

15:18 Hrs.

MADRAS STATE (ALTERATION OF NAME) BILL

MR. DEPUTY-SPEAKER: We will now take up the Madras State (Alteration of Name) Bill. The minister is not here.

SHRI RAJARAM (Salem): Let Mr. Arumugam from the Congress benches move it!