

**Shri Raj Bahadur:** I beg to move:

"That the Bill be passed."

**Mr. Speaker:** The question is:

"That the Bill be passed."

*The motion was adopted.*

12.07 hrs.

#### DETENTION OF MEMBER

(Shri Badrudduja)

**Mr. Speaker:** I have just received the following intimation from the Superintendent, Alipore Special Jail, Calcutta:

"I beg to state that Syed Badrudduja, M.P., was admitted to this Jail on 10th September, 1965 under 30 of the Defence of India Rules, 1962, and being treated as a Division I Under-trial prisoner."

12.07½ hrs.

#### DELHI LAND REFORMS (AMENDMENT) BILL

**The Minister of State in the Ministry of Home Affairs (Shri Hathl):** I beg to move\*:

"That the Bill further to amend the Delhi Land Reforms Act, 1954, be taken into consideration."

The Delhi Land Reforms Act, 1954, came into force in the Union Territory of Delhi on 20th July, 1964. Under sec. 150 of that Act, Gaon Sabhas were constituted in the areas to which the Act applied and all common lands in the Gaon Sabhas areas, i.e. all lands whether cultivable or otherwise except those comprised in any holding or grove of private individuals, were vested in the Gaon Sabha

under sec. 154 of that Act. The Gaon Sabhas were charged with the function and responsibility of seeing that the lands were not encroached upon. If these lands were encroached upon, they were to file suits against the trespassers, the land would then become vacant and again vest in the Gaon Sabhas. However, if no such suit is filed, under sec. 85 of the Act, the person who has encroached upon the Gaon Sabha land becomes a *bhumidar* or *asami* of the land as if he had been admitted to the possession of the land by the Gaon Sabha. Also when any dispute arises as regards ownership of any property vesting in the Gaon Sabha, under sec. 36 of the Delhi Panchayat Raj Act, 1954, the Gaon Panchayat is empowered to decide whether to treat the property under dispute as the property of the Gaon Sabha or not. Apart from this, it is also the duty of the Gaon Sabha to be on the lookout for cases of contravention of the law by *bhumidars* and their *asamis* and take remedial action. For example, under sections 42 and 46 of the principal Act, the Gaon Sabha can sue for ejection of persons who have acquired land by transfer in contravention of the law. When the transferor is ejected, the land becomes vacant. Similarly, under section 81 of the principal Act, the Gaon Sabha can sue for ejection of their *asamis* and take remedial action. agricultural lands to non-agricultural use.

In the course of the implementation of this Act, certain deficiencies in the law have come to notice. A number of Gaon Sabhas have failed to effectively discharge their functions. A large number of encroachments on Gaon Sabha lands and transfers in contravention of the law have come to notice, and it has caused loss of revenue to the Gaon Sabha and the Government. It has, therefore, become necessary to invest the revenue authorities also with the necessary powers to supplement the efforts of the Gaon Sabhas in removing

\*Moved with the recommendation of the President.