

the hon. Member's objection has some force. I admit that it is rather inconvenient for Members to see a Bill suddenly being removed. I am very sorry it happened. My colleague said that the Government have decided to take up that Bill at the next session, but, if the House wishes that it should be taken up during this session, we shall take it up in this session at a not distant date. We might try to arrange it that way.

**Mr. Speaker:** Not that the hon. Members are very particular that that Bill should be taken up today.

**Shri Jawaharlal Nehru:** I wanted to express my regret for what has happened. I was only saying that we might arrange to take it up during this session, if it suits the convenience of the House.

**Shri Kamath:** I may remind the hon. Prime Minister that the National Volunteer Force Bill has been pending in the House since November last.

**Mr. Speaker:** Is it the desire of the hon. Member that it should be taken up during this session?

**Shri Kamath:** Yes.

**Mr. Speaker:** If the hon. Prime Minister is willing, they might provide a particular date for this Bill.

GOVERNMENT PREMISES (EVIC-  
TION) AMENDMENT BILL—concl'd.

**Mr. Speaker:** The House will now take up the further consideration of the following motion moved by Sardar Swaran Singh on the 23rd August, 1956, namely:

"That the Bill further to amend the Government Premises (Eviction) Act, 1950, as amended, be passed".

**Shri K. K. Basu** (Diamond Harbour): This Bill was moved with the observation of the Minister in charge that it is a very innocuous piece of

legislation and that it is nothing but an amendment to the existing small piece of legislation. But, if one goes through the Bill and studies the amendments, one will find that the amendments go much farther than what was provided for in the original Act.

Yesterday, there were a number of speeches made by several hon. Members who urged that this Bill should not be amended in the way in which it has been sought to be amended. The main idea of this Bill, it seems to me, is to empower the Delhi Improvement Trust or any other local body, as provided in the Act, to evict a person from the public premises as defined in the provisions. The old Act restricted the powers and provided only certain powers for the Central Government. Therefore, to say that this is a simple piece of legislation is just to create an illusion in the minds of the people. This is far from an innocuous piece of legislation. I for one oppose the particular amendment which empowers the local authorities to evict persons. I oppose that amendment with all the force at my command. At this stage, when we are talking in terms of improvement of the living conditions of the common man, we are giving certain powers to the Delhi Improvement Trust to come in the way of the common man! We know the activities of the Delhi Improvement Trust. The Ministers who are in charge of legislation like the present one, have time and again come forward with the suggestion that they have been doing all that is possible to see that the poor people do not suffer at the hands of the Government. But the result of this Bill would be that the poor people who are now living in the city of Delhi will not have any right hereafter to live in the city. We are told that they are being transferred to places which may be five or six miles away from the city. Here, they are getting some sort of occupation just to keep their body and soul together. But this change that has been made now would affect a number

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of poor persons and also the poor refugees.

What is the basis of this slum clearance? Do you mean to say that the provisions that have now been made in the Bill are in accordance with the Constitutional provisions or spirit. We have adopted the proposal or the goal for a welfare State and the ideal of a welfare State has subsequently been changed into one of the socialist pattern of society. Yet, the poor persons who have no means of livelihood and who are living in the slums are asked to go five or six miles away from the city.

Now, I would ask one question. Where is the problem of slum clearance arising now? Let us be honest about it. You should declare that the city is meant for the rich to live and the slum dwellers have no right to live here. You cannot simply say that you should remove all the people living in the slums and send them away to long distances from the city. I do not go into the merits of the case, but let us realise the position created for the poor artisan or the poor worker who has to live in the city for his means of livelihood. How can they carry their trade coming from a long distance of five or six miles away from the city, to the city proper?

Perhaps, the idea of the authorities is that the whole city of Delhi should be just like New Delhi is at present. So far as the position of New Delhi is concerned, the British Government had some views about it, namely, that it should be a preserve for the Britishers and officials. But unfortunately I find that even today the present Government has the same attitude. We know what difficulties the citizens of Delhi have to face regarding the construction of the houses. The Prime Minister once had the idea—it was about two or three years back—that instead of constructing big houses, with ten acres of compound around them, for the

benefit of Ministers, Secretaries and other high dignitaries, it would be better to have more compact buildings. I would ask, how many of the high dignitaries in the Government services could afford to have, on their own, such big houses and other comforts as they are now enjoying and as are provided by the Government. It is not possible for the common men of India and even for big businessmen except those living in the Malabar Hill or in the Alipur quarters in Calcutta, to live in a building or house with a big compound and all that. Today the slums in Delhi are being cleared to build such palaces and business houses, so that the foreign tourists will come and go out saying "Delhi is a big city of palaces". But what about the people who had for generations contributed to the building of this great city brick by brick? Should they lose the right of living in this city? I can understand if the Government honestly come forward and say, "Delhi is meant for Government officials and big business people only, because the cost of living is too high". They do not do so. The idea of slum clearance should be to accommodate the slum-dwellers in the area near about Delhi from where they can eke out their livelihood. I find from the reports and different publications that slums are being shifted from the heart of Delhi to places where again the slums are created.

Our hon. Health Minister has been going round the world and she must have seen to what extent those countries have tried to solve the problem of slums. Not only in the socialistic world, but even in the capitalist world, they have tried to establish workers colonies and build multi-storeyed buildings for them near about the city. On the other hand, here we are having slum clearance not to rehabilitate the same persons who were living in the slums, but to build palaces for Government officials and others. I would urge upon

the Government that by slum clearance we mean that the slum-dwellers must be enabled to live in a better way in the city itself or in some area near the city; they should not be shifted four or five miles away from the city. In November, 1943, I think, the present External Affairs Minister of Australia, who was then Governor of West Bengal, took it into his head all of a sudden that Calcutta should be cleared of slums. They wanted to build a road and they acquired the basti and the houses built for the slum-dwellers, who were pushed out 3 or 4 miles away without any accommodation. What was the result? It is not my figure, but the figure given by the Chief Executive Officer of the Calcutta Corporation. The population per square foot in the bastis and slum areas increased. Where formerly two people were living in a 10 square feet area four people began to live after the slum clearance and the rent per head also increased, because the accommodation available for those slum-dwellers became shrunk. My whole proposition is this. While advocating slum clearance, it must be done in such a way that in the city itself there are certain areas where people with moderate means can live. Unless we have that sort of planning, though it may be possible for rich people, Government officials or even Members of Parliament to live in big houses, the common people will have no right to exist in the city of Delhi or in any city for that matter. I want that the whole attitude should be changed.

My suggestion is that we should subsidise these buildings and the return on the investment made should not be 6 to 8 per cent. At present there is no rent control for the newly built houses and they charge whatever rent they like. I want you to compare that with the return on Government investment. When individuals get 8 to 10 per cent, return, why should the Government also always expect to get the same thing? In the Constitution the principle of

a "Welfare State" was adopted and it was subsequently improved upon by the party in power as "socialist pattern of society". So, we must see that the slum dwellers also have equal rights to participate in the common amenities and enjoyments that are afforded to the citizens of Delhi. Unless that is done, this Bill has no meaning.

There is another point also. It is very dangerous to give power to the executive against which there is no right of appeal. Originally it was in the hands of the Central Government, which can be directly called into question. But now they are creating an autonomous body and giving powers to them. We will not be able to question it anywhere, more so because in the new set-up, Delhi State will have no legislature. There is no way in which the Delhi Improvement Trust can be brought before the forum of Parliament or any other legislature. I do not know the real position of the Delhi Improvement Trust, apart from the reports I have seen and which go very much against it. Now powers of summary eviction have been given to the Delhi Improvement Trust. Even if a particular officer issues the order in an indiscrete manner, within 15 days action should be taken. We know fully well how difficult it is to work up the Government machinery. We know how people go before the courts and get protection to find out whether it was actually necessary for the purpose of the Government. The definition of "public premises" has also been widened. In the original Act, it was restricted to Government premises. I can understand the Delhi Improvement Trust being given certain powers which are absolutely necessary, but I do not want this summary power to be given to an autonomous body like that. It is more than the delegation of authority which is necessary.

Something has been said about the advisory committee. I do not know what the fate of the advisory com-

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mittee will be. After sometime, the Minister may not be there; there may be a change in the Government and new people may come in. Even if the Congress Government comes to power, their composition may change. Therefore, advisory bodies have no meaning in the present state of things. We know there was a long discussion in this House about the working of the Displaced Persons (Compensation and Rehabilitation) Rules, where they had much more statutory power. I am very much concerned about entrusting so much power to the bureaucracy, about which we have very much doubt. I do not say that every member of the Government machinery is bad; but, some of them, more especially the senior members among them, have not got over the bureaucratic attitude that prevailed in the old British days. A majority of them have not got over it.

I would urge upon the Government to be sincere. If you are sincere, come forward and honestly say that by slum clearance you mean that the common man, the poor man, will have no right to live in the heart of the city of Delhi. Honestly say so if you want that the slums should be cleared for the purpose of building big palaces for big officers and businessmen, so that the foreign tourists who come to see Delhi may say, "Delhi is a nice place, compared to any other metropolis in the world". I have no doubt that we all want Delhi should be beautified and Delhi should be improved. But Delhi should have not only palaces; it must have buildings for the poor too. Of course, Delhi was the seat of many empires in the past and so it should have those big palaces and all that. But what about those people living in the slums? We must have houses for them also. This problem is not new to us for we come from areas where the people are much more closely connected with the cities life. So Delhi should not confine itself to palaces. We have found that the peo-

ple living in Delhi, especially in Old Delhi are in a worst condition. So, buildings must be provided for them too.

Therefore, I urge upon the Government: don't have this Bill; withdraw this Bill and bring forward another improved Bill. Regarding the Delhi Improvement, not only the common man but even the big businessmen feel that it is not functioning well. It has not only to build palaces but has to look after the comforts of the common man in the city. Every one has to live happily and that is the concept of the welfare State.

With these words I oppose this particular provision of the Bill and wish the House will throw away the Bill so that the Government will, in course of time, bring forward another improved Bill which will help the people of Delhi and rehabilitate the slum dwellers, not by building palaces but by constructing cheap houses for the common man.

**Shri C. K. Nair:** (Outer Delhi): At the far end of the discussion on the Bill I am going to support this Bill but with certain modifications which I expect the Government to keep in view when they bring forward a more comprehensive and more useful legislation, without which the improvement of Delhi is impossible. Of course, I feel that this particular Bill is very inadequate to cope with the tremendous problem that is facing the Government and also the people, especially at present when we are passing through a very crucial period on the history of Delhi for our State is going to disappear and, perhaps, the responsibilities falling upon Parliament will be much more hereafter than before. Up till now we have been facing demonstrations at the Ministers' places in the State. But hereafter we are going to have more demonstrations, perhaps at the gate of Parliament. Therefore, we have to be very very careful about it. A number of speeches have been made and an appeal has been made.

It is really a human problem; it is not an architectural problem. I am afraid even this Delhi's master plan—what is going to happen God alone knows—is not likely to succeed because I do not see anybody with imagination associated with it. It is full of architects. I do not know what is the sort of thing they are going to produce. Therefore, I want to make an appeal to the Government to be more careful before bringing before Parliament or the public this master plan. The master plan must be given the real human touch. It is more human than anything else because we have to face the crime of displacing the people who are suffering in the slums. It is not only human in every respect but it is economical, social and psychological too. Of course, people will have to be shifted some six miles away or so. I don't mind that because even now the municipal committee's employees are going to be given accommodation perhaps four miles away from the municipal premises. It is inevitable. Now Delhi has more than ten miles. It is a city of distances. We will have to put up with that.

But still there must be a proper approach; that is what we are lacking at present. I have been advocating for a master plan for the last five years and we are very glad that we are going to have one very soon.

**An Hon. Member:** Last five years?

**Shri C. K. Nair:** Even before that I have been advocating that in the Chief Commissioner's Advisory Council, of which I was a member because we have been noticing before our very eyes how things are going in anarchic way. That has to be controlled. Unfortunately, we are not able to do it because of the lack of a master plan. Fortunately, we are going to have one. But let it not be a dead plan prepared by the architects alone; let more experienced engineers be associated with it and also social workers and sociologists may be associated with it.

How to deal with this human aspect of this problem? Of course, we can simply build two or three or four types of houses and ask them to occupy those houses in the colonies. But, as I have repeatedly stated, the city of Delhi contains about two lakhs of population living in slums?

**An Hon. Member:** Two lakhs?

**Shri C. K. Nair:** Not less than two lakhs. Fortunately, the Bharat Sevak Samaj has taken up the work in right earnest. They have roused the enthusiasm and spirit of the people and also the slum dwellers. Not only that, even the authorities have been attracted towards their services, including the Prime Minister. He is now taking great interest in the improvement of the city. That means, we cannot do it without a much bigger and more comprehensive law to deal with the difficulties which we will have to face at every step in every gali and in every slum area.

Therefore, I feel that two things have to be done very soon. One is that the master plan must be completed with the fullest possible consideration given at least to the substance of what we have been discussing here. The master plan must have a very good reception. If it gets a bad reception, that will be very bad for the whole of Delhi. Therefore, we should be very careful about it because I have been noticing that aspect has been neglected in spite of our repeated requests—no non-official or social worker is associated with the master plan. I think we have every right to demand it. It is simply stated: It is an expert's business. No, it is not. If it is an expert's business, that expert must also know human nature. That has been ignored in the plan, that is what I hear. They are more particular about keeping the monuments and things like that. Let there be monuments and we are very happy to have them because in the most historical place where we are living in, we must have respect for them. But the human problem is there and the living monuments are

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to be respected more and they should be given better facilities for living in this city. Therefore, this aspect of the question should not be lost sight of.

Secondly, the workers of the Bharat Sevak Samaj are working there. How do they work? They are associating the services of the School of Social Work of Delhi where there are post-graduates taking great interest in this subject; new blood with imagination is there. They want to help us and we are undertaking a very big survey work. So far more than a thousand *itakas* of Delhi have been visited and full, detailed and comprehensive survey is being undertaken, with the help of the School of Economics of Delhi also. But we are not getting as much help as is really required for the tremendous task before us. The Government is not doing anything in that respect. Of course, they are going on with the master plan. But how can they do it without knowing really the difficulty of every individual and family living in the slum areas?

Therefore, my appeal is this. For this master plan an authority has to be created. This Improvement Trust has become notorious; we all know it. It is a plain fact, I say this in Parliament, and so it should be scrapped. Of course, the Delhi Development Provisional Authority has been created for one year. This is also a pitiable effort. Everything is in a flux even now. Perhaps, after December we will have no Authority to control. Therefore, I expect that a Bill is going to come soon to establish a permanent Authority with full powers and armed with very effective law and all that. Therefore that authority is inevitable. Of course, if we force any authority, it is very difficult to face the people. Therefore, their feelings, their opinions and their interests also should be kept in mind when we pass any laws.

These are the two points which have to be considered.

**Pandit K. C. Sharma** (Meerut Distt.—South): Mr. Speaker, Sir, I rise to support this measure. I am in full sympathy with the observations made by my hon. friend Mr. K. K. Basu and also Mr. Nair.

Sir, the two pre-requisites for any planning, or for any development planner, are that the man in the field should be the final authority as to what steps should be taken. Nothing is possible to be done which is significant and important if everything is to be debated and judgment to be taken by people far away from the field of action and taking, more or less—it may be human—but, more or less, an academic view of life, an academic view of things. Practical things are done on the spot by people who have to plan and who have to execute it. The other point is that it is also necessary that the people as such should be associated with any development plan and Mr. Nair is right in saying that the social workers, or the people who are willing to participate in that work and to assist therein should be taken into confidence and their support, their aid should be taken advantage of.

Taking these two points as accepted maxims I fail to understand where do all these considerations which my friend, Mr. K. K. Basu has pointed out come in. It is a simple Bill which is in the definition of 'public' premises and it does not add anything. It simply removes certain lacuna that existed, which has been found from the experience of working, necessary and warranted, by the facts in planning and development.

Then, there is another addition "unauthorised occupation" and then "the authority competent to permit". These are very simple additions, very simple amendments. They do not warrant any drastic criticism or hard criticism whatsoever against this simple Bill.

So, I beg to submit that if you have to take up the job of clearance of slums some hardship is necessary for this simple principle that everything beautiful is a thing difficult. If you have to do something which is worth doing then, Sir, hardship, here and there, is bound to occur. The only human effort could be that it should be minimised and it should be as less as is humanly possible.

With these words I support this Bill.

**पंडित ठाकुर दास भार्गव (गुड़गांव) :**  
जनाब स्पीकर साहबा ।

**Shri Kamath (Hoshangabad):** May I point out, Sir, that there is no quorum in the House? There should be a quorum for Panditji.

**Mr. Speaker:** There is the quorum. We are not going to put anything to the vote. The hon. Member, Pandit Thakur Das Bhargava, may continue.

**पंडित ठाकुर दास भार्गव :** मैंने इस बिल के बारे में कल भी लम्बी चौड़ी तकरीर की थी और मैं नहीं चाहता कि इस मीके पर मैं उसमें से किसी हिस्से को दुहराऊँ लेकिन मैं जनाब की खिदमत में अर्ज करना चाहता हूँ और उसकी खास वजह यह है कि मैं हाउस में यह पाता हूँ कि जितनी बातें मैंने अपनी तकरीर में कहीं, उनमें से किसी का भी जवाब मलत या दुस्त हाउस के अंदर नहीं किया गया । शायद यह मुमकिन है कि उनका जवाब दिया ही न जा सकता हो और वे बातें इतनी दुस्त हों कि उनका जवाब दिया ही न जा सकता हो और अगर ऐसा हो तो मुझे कोई शिकायत नहीं है लेकिन अगर वह बातें ऐसी नहीं हैं जिनको कि आनरेबुल मिनिस्टर साहबान तसलीम करें तो यह बाजिब है कि इस हाउस के अंदर डिबेट (वाद-विवाद) को कम से कम पुरमानी बनाने के वास्ते उन ओबजेक्शंस (आक्षेप) को मीट (उत्तर देना) किया जाना चाहिए था ।

मैंने शिकायत की थी कि किस तरीके से कई हजार मकान बावजूद इसके कि उनको

एश्वोरेस (आशवासन) दिये गये, उन एश्वोरेसेज के बरखिलाफ उन मकानों को गिराया गया । ४० हजार, १५ हजार, १० हजार और ८ हजार की लागत के कितने ही पक्के मकान गिराये गये और कच्चे मकान तो बेशुमार गिराये गये । इन बातों का जवाब देते समय हमको उम्मीद यह थी कि कम से कम आनरेबुल मिनिस्टर साहिबा कुछ लफ्ज सिम्पैथी (सहानुभूति) के कहेगी कि यह सब हुभा तो सही लेकिन हमें उसका अफसोस है । कल हमारे पंडित जी ने नागों के बारे में बतलाया और साथ ही यह फरमा दिया कि हमसे नागा विद्रोह दबाने के सिलसिले में मुमकिन है कुछ गलतियाँ भी हो गई हों । अगर इस तरह से कुछ हमारी मिनिस्टर साहिबा ने फरमाया होता तो जिन लोगों के मकान आपके महकमे ने गिरवाये थे उनको कुछ तसल्ली होती कि चलो मिनिस्टर साहिबा को हमारे साथ कुछ हमदर्दी तो हुई । लोगों की आंखों के सामने उनका आशियाना लुट गया और मिनिस्टर साहिबा ने उनके लिए एक लफ्ज भी हमदर्दी का नहीं कहा । एश्वोरेस कमेटी (आशवासन समिति) की रिपोर्ट (प्रतिवेदन) यह थी कि उन अफसरों के खिलाफ जिन्होंने कि पार्लियामेंट के अन्दर जो कुछ एश्वोरेसेज दिये गये थे उनकी खिलाफ वर्जों की है और उनको तोड़ा है, उन के बरखिलाफ कोई ऐक्शन (कार्यवाही) लिया जाय । हमारे स्पीकर साहब ने एश्वोरेस कमेटी बैठाई और उसने भी यह साफ तौर पर कहा कि किन अफसरान का यह कसूर है इसका पता लगाया जाय लेकिन हमने देखा कि हमारी मिनिस्टर साहिबा ने बगैर उस बात को देखे हुए और बगैर एक लफ्ज सिम्पैथी का कहे हुए उनको सटिफिकेट (प्रमाणपत्र) दे दिया और यह ऐलान कर दिया कि अफसरान का कोई कसूर नहीं है और वे अफसरान बिलकुल मासूम हैं और उन्होंने कोई कसूर नहीं किया है । मुझे नहीं मालूम कि आया कोई तहकीकात इस एश्वोरेस कमेटी को रिपोर्ट आने के बाद सरकार ने कराई

[पंडित ठाकुर दास भागव]

या नहीं कराई, जहाँ तक मैं समझता हूँ इस क्रिस्म की कोई तहकीकात नहीं हुई। जो शिकायतें उस ऐश्वोरसेज कमेटी ने की थीं उनको दुस्त करने के वास्ते भी जहाँ तक मैं समझता हूँ कोई माकूल स्टेप नहीं लिया गया। सन् १९५१ के बाद से आज सन् ५६ तक किस को एक पैसा एक्स ग्रेशिया (अनुग्रह से) नहीं दिया गया है जिसका कि दिया जाना एज कंडिशन प्रेसिडेंट (as condition precedent) ऐबसोलूटली नैसेसरी (सर्वथा आवश्यक) था। मैंने कल भ्रजें किया था कि जिनको कि मकानों से बंदखल करके उनके मकानों को गिराया गया उन आदमियों को बसाने की कोशिश नहीं की, यह ठीक है कि कुछ लोगों को एलिजिबील्टी स्लिप्स (पात्रता की पत्रियां) दी गईं लेकिन वह किस काम की। जहाँ तक शंडेवालान का ताल्लुक है अभी तक यह फैसला नहीं हुआ है कि वहाँ पर मकान बनायें जायेंगे या नहीं तब क्या लोग आपकी उन एलिजिबील्टी स्लिप्स को शहद लगाकर चाटें। वहाँ अभी तक मकान बनाने का फैसला ही नहीं हुआ है।

जनाबवाला, मुझे आखिर में यह कहना है कि जिन को कि मरहम लगानी चाहिए थी और जिनको कि कम से कम एक लफ्ज सिम्पैथी का कहना चाहिए था और आयन्दा के वास्ते यकीन दिलाना चाहिए था कि उनके ऐश्वोरसेज का ख्याल रक्खा जायगा आफसोस के साथ यह कहना पड़ता है कि उनके वास्ते एक लफ्ज भी हमदर्दी का नहीं कहा गया यहाँ मुझे एक बहुत ही मशहूर मसल याद आजाती है :

“बनिया हाकिम गजब खुदा” “शौरत हाकिम गजब खुदा”। मिनिस्टर साहिब ने बड़े तमलडाक से कह दिया कि उनके मातहत आफसरान सब के सब देवता हैं और किसी ने कोई कसूर नहीं किया तब मैं उनसे पूछना चाहता हूँ कि यह ५२२६ मकान किस तरह

गिर गये ? इस हाउस के १५ मम्बरों की ऐश्वोरसेज कमेटी ने यह फैसला दिया कि जितने ऐश्वोरसेज थे उनके ऊपर ठीक तरह अमल नहीं हुआ और उनको खिलाफवर्जी की गई। उसके बाद गवर्नमेंट की तरफ से उच्चतरी हुई कि इसको फिर से देख लिया जाय और इसको क्लैरिफाई (स्पष्टीकरण) कर दिया जाय, लेकिन उसका भी अभी तक फैसला नहीं हुआ और चुनावे वही पहले वाली रिपोर्ट फील्ड होल्ड (स्थिर है) करती है। सच तो यह है कि फारसी में एक छोटा सा फिका है :

“उज्जे गुनाह अज गुनाह बदतर”।

गुनाह करने से इंकार करना गुनाह करने से बदतर है।

मैं समझता हूँ कि शायद आनरेबुल मिनिस्टर साहिबा जनाब स्पीकर साहब के पास इसलिए तशरीफ लाई हैं ताकि वे मेरी बात का जवाब दे सकें। उनको दो दफा मौका था और भागे भी मौका होगा, लेकिन पहले जो मौके उनको मिले उनमें उन्होंने एक लफ्ज भी सिम्पैथी का नहीं कहा हालांकि हम उम्मीद करते थे कि वे यह कहेंगे कि हम आयन्दा देखेंगे कि जो ऐश्वोरसेज पहले से दिये हुए हैं उनको खिलाफवर्जी न हो। लेकिन उन्होंने कुछ नहीं कहा। अगर वह कह देते तो मैं खुश होता कि अगर वह कुछ नहीं करता चाहती हैं तो कम से कम यहाँ दो लफ्ज अपनी जवान से कह दें ताकि हम समझें कि जो हमारे ला एंड आर्डर का गाजियन (विधि तथा व्यवस्था का संरक्षक) है वह अगर अपने अन्दर मोम का दिल नहीं रखता तो कम से कम पत्थर का दिल भी नहीं रखता। सरदार साहब का फर्ज नहीं था, लेकिन उन्होंने यह नहीं कहा कि सारी चीजें ठीक हुई हैं और हम कुछ नहीं कर सकते। उन्होंने हमारी तसल्ली के लिये कहा कि हम देखेंगे कि क्या किया जा सकता है।



सरदार साहब से मैंने दो ही क्लेम किये थे। एक तो यह कि जे. एडवाइजरी बोर्ड (मंत्रणाकार बोर्ड) है उसको स्टूटरी बाडी (संविहित निकाय) बना दो, कम से कम वह तो हमारी तकलीफ को देखे। दूसरे यह कि जो ऐम्प्लॉयमेंट दिये गये थे वह आइन्दा पूरे किये जायेंगे : जो कुछ पहले हो चुका वह तो हो चुका, अगर पहले वह आम्बर्ब (ध्यान देना) नहीं किये गये तो नहीं सही, लेकिन आइन्दा तो आम्बर्ब किये जायेंगे। लेकिन उन्होंने यह अल्फाज नहीं कहे। वह हमारा खयाल करते हैं। हमारे साथ हमदर्दी करते हैं, वह हमारे मकान देखने गये जिन को गिराना चाहते हैं, सब कुछ किया, लेकिन वह दो अल्फाज इस तरह से नहीं कहते हैं कि मकान बेजा तौर पर गिराये गये। पंजाब के शरणाथियों पर जो गुजर रही है उसको वे जानते हैं। एक तो गए रूल तीन दिन हुए पास किए गए जिसमें हिन्दू खान्दान में भाई-भाई तो रह गये, बेटे उड़ गये, हालांकि उसके वास्ते कोई वजह नहीं थी। अब दूसरा बाम्ब शेल यह गिरता है कि सन् १९५१ में जो वादा किया गया था उसके वास्ते यह नहीं कहा जाता कि हम उस नुकसान को पूरा करेंगे जो हुआ और आइन्दा के लिये उन वादों को पूरा करेंगे। मैं इस एक्टियूट पर दुखी हूँ। मैं कल बिल पर बोलते समय कह रहा था कि यह बिल हिन्दुस्तान के लोगों को सिविल लिबर्टीज के वास्ते सबसे बड़ी कर्ब है। मैं हिन्दुस्तान में क्या चाहता हूँ? दूसरे मुल्कों में लोग क्यों सुखी हैं? वह समझते हैं कि उनका मकान उनके लिये कैसेल है, उसके अन्दर कोई दखल नहीं दे सकता, वह उसके मालिक हैं, उन्हें कोई निकाल नहीं सकता हम जानते हैं कि हमारे हुकूक के मुहाफिज हमारे मुल्क की सिविल कोर्ट्स (ब्यवहार, न्यायालय) हैं, एग्जिक्यूटिव (कार्य पालिक) नहीं है। यह हमारा एसेन्शाल (अत्यावश्यक) फंडामेंटल (मूलभूत) एन्सोल्यूटली इन्डिस्पेसिबल राइट (सर्वथा अनिवार्य अधिकार) है, लेकिन यह बिल इन हुकूक की जड़ खोदता

है। मैंने जो पहले १९५१ में बहस सिलेक्ट कमीटी पर कहा था, मैं उसको जान बूझ कर कल दोहराया नहीं कि इस बिल में क्या क्या चीजें हैं, हम खुद मुकर्रर करेंगे मकान का किराया, खुद मुकर्रर करेंगे डेमेंजेज और खुद ही वसूल करेंगे। इसके वसूल करने का क्या कायदा है यह जनाबवाला को मुझ से बेहतर मालूम है, सिविल कोर्ट की रूपये की डिगरी में किसी को कैंद नहीं हो सकती, डिगरी इस तरह से जारी नहीं होती। लेकिन यहां पर एरियस ऑफ लैंड रेवेन्यू (भू० राजस्व का बकाया) के तौर पर डेमेंजेज वसूल होंगे। १५ दिन का नोटिस दिया, और यह भी जरूरी नहीं है क्योंकि इसमें लिखा हुआ है "मे"। एरियस की वसूली में पहली चीज यह होती है कि बुलाया और कैंद कर दिया। इस तरह से एरियस ऑफ लैंड रेवेन्यू वसूल करते हैं। यह कायदा पंजाब लैंड रेवेन्यू ऐक्ट का है जो कि यहां पर लागू है। लेकिन जो चीज अट्टेचमेंट (कुर्की) से सिविल प्रोसीजर में बचा दी गई हैं, यहां उनको भी नहीं बचाया है। इस भवन में हमने दिल्ली के वास्ते रेंट (rent) एक्ट (किराया अधिनियम) बनाया। खुद मालिक मकान को अरूयार नहीं है कि वह किसी किरायेदार को बिना वजह निकाल दे, सबलेटिंग भी किसी हद तक हमने जायज कर दिया, सबलेटिंग (अनुभारकन) होती है, छोटे-छोटे कंदावाशन्स होते हैं, लेकिन मालिक मकान को इतना हक नहीं है कि वह महज नोटिस निकाल दे कि तुम मकान को छोड़ कर चले जाओ। लेकिन यहां पर इतने पर ही इक्तफा नहीं किया गया। यहां तय हुआ कि खुद एकजिक्टिव अधिसर damages तै करेंगे, मैंने पिछली दफा सन् १९५१ में अर्ज किया था कि पहले तो एक जगह का किराया २५० रु० कर दिया, लेकिन जब दख्वास्त दी गई तो उसी को ८२ रु० कर दिया। मैंने ऐक्चुअल (वास्तविक) मिसाल दी थी कि एग्जिक्यूटिव (कार्यपालिका) इस तरह से arbitrarily किराया मुकर्रर करती है

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इस तरह से एक एग्जिक्यूटिव ऑफिसर के अख्तियार में सारे दिल्ली वालों की जन फंसी हुई है। हमारे पास गवाही में यह बात आई कि अजमेरी गेट की स्लम एरिया के ११६२ मकानों में से ७११ मकान गवर्नमेंट ने ले लिये, ४८१ मकान और लेना चाहती है। वहां पर रहने वालों की मुसीबत क्या है कि चाहे जब गवर्नमेंट उनको मकानों से बाहर निकाल दे।

एक्सप्रेशिया पेमेंट (अनुग्रह से पैसा देना) के वास्ते तो सरदार साहब ने ऐश्वोरेन्स कमेटी के मामले जो दरखास्त दी है उसमें एक नई तजवीज है। पहले तो यह था कि एक्सप्रेशिया पेमेंट मकान को गिराने से पहले दिया जायेगा, लेकिन आज लिखा गया है कि जो डैमेजज होंगे वह काट लिये जायेंगे। डैमेजज गवर्नमेंट खुद मुकर्रर करती है, खुद ही उसको वसूल करने वाली है। जनाबवाला, हमने यह कानून इमर्जेंसी लेजिस्लेशन (आपत्तिकालीन विधान) के तौर पर बनाया था।

श्री वी० चं० शर्मा (होशियारपुर) :  
इस दिक्कत का इलाज भी तो बतलायें।

पंडित ठाकुर दास भांगव : महन सन् १९४७ में यह इमर्जेंसी लेजिस्लेशन बनाया था जब यहां पर ८ लाख आदमी आ गये थे कि कैसे लैंडलाइडस के मकानों में से मकान लेकर शरणार्थियों को उसमें रहने की इजाजत दो। हमें नहीं मालूम था कि ८ बरस बाद यह कहा जायेगा कि इस लेजिस्लेशन को बिल्डिंग्स (मकानों) पर भी लगा दो। ज़रूरत तो यह थी कि ऐसे हालात लाते कि इस को इस्तेमाल करने की ज़रूरत ही न पड़ती। यह कानून दो बरस के लिये ही १९४७ में बना था और उसमें भी लिखा था कि पब्लिक परपोजेज (सार्वजनिक प्रयोजन) के लिये मकानात लिये जा सकेंगे। अब वह पब्लिक परपोजेज का सवाल कहाँ रहा? हमने इतने

दिन तक लोगों के फंडामेंटल राइट्स को सबल रक्खा क्योंकि उस वक्त ज़रूरत थी इमानदारी की बात यह थी जब यह कानून रक्खा तो उसको दो वर्ष से ज्यादा चालू नहीं रखना चाहिये थे। हमारे कृष्ण चंद्र जी एम० पी० कहते हैं कि बिल्डिंग को जोड़ दो। मैं कहता हूँ कि हमारे सरदार साहब एक नया बिल लायें जिसमें सारे के सारे अख्तियार, जो कि इमर्जेंसी के अख्तियार थे, वापस लिये जायें। कलकत्ते में या किसी भी दूसरी जगह पर हिन्दुस्तान में म्यूनिसिपैलिटीज (नगरपालिकाओं) को ऐसे अख्तियार नहीं हैं तब दिल्ली में उनकी क्या ज़रूरत है? मैंने कल अर्ज किया था, श्री कृष्ण नायर साहब ने रिपीट किया है कि अगर दिल्ली के स्लम्स को दूर करते हैं तो सरकार से रूपाया दिया जाये और वहां पर खर्च किया जाये। मैं अर्ज करूंगा कि इस गवर्नमेंट को स्लम एरियाज (गंदीबस्तियां) से किसी को हटाने का कोई हक नहीं है अगर वह ऐसे गरीब आदमियों को जो कि वहां पर बसे हुए हैं; वहां से हटा कर दूर फेंक देना चाहती है। हमने अपना कांस्टिट्यूशन (संविधान) बनाया है, हमको हक है कि हिन्दुस्तान के किसी भी हिस्से में जाकर रहें, तब यह कैसे हो सकता है कि जहां पर हम पुस्तों से रहते हैं वहां से निकाल कर हमको फेंक दिया जाये? यह इन्साफ नहीं है, दरअसल इस के माने यह है कि गवर्नमेंट ऐसे अख्तियार लेना चाहती है जिसमें हमारे फंडामेंटल राइट महफूज रहें न हमारा कोई हक बाकी रहे। मैंने दस वफा मिनिस्टर साहब से बर्हेसियत चेंबरमेन पूछा, जो कि सेलेक्ट कमेटी में तशरीफ लायी थीं, कि आप जितने आदमियों को निकालेंगे उनमें से कितनों को बसा देंगे? लेकिन कोई जबाब नहीं मिला मैं चाहता हूँ कि जिस स्लम एरिया को आप उजाड़ते हैं, उसमें से एक एक आदमी को वहीं बसाया जाये। जो स्लम एरियाज में रहते और अपनी रोजी कमाते हैं अगर आप उनको उजाड़ते हैं तो बड़ा पेजिये जहां पर वह अपनी

रोजी तो कमा सकें। अगर आप को स्लम बिलअरेंस करना है तो सीधा उसूल है कि ऐसा एक आदमी भी नहीं होना चाहिये जिसको आप निकाल दें और उसको रोजी कमाने का जरिया न दें। अगर आप को इसी तरह से रिहैबिलिटेशन (पुनर्वास) करना है जैसे कि आप कर रहे हैं, तो यह इंसाफ की चीज नहीं है। आज कोई नहीं चाहता है कि वह स्लम एरिया में रहे, लेकिन उसको जिन्दगी चलाने का जरिया भी तो मिले। दरअसल बात यह है कि हमारे यहाँ हिन्दी में एक मसल मशहूर है कि ठाढा मारे और रोने न दे। यह गजब देखिये कि उन लोगों को तकलीफ भी देते हैं और रोने की इजाजत भी नहीं देते। सर्टिफिकेट हमारे मिनिस्टर साहब ने दे दिया, हमारी राजकुमारी साहबा ने दे दिया कि गवर्नमेंट ने बड़ा अच्छा काम किया। लेकिन किसी ने यह नहीं देखा कि जो शरणार्थी रोते फिरते हैं, जो इतने दुखी हैं, जिनके दिल में दर्द है, उनका क्या हाल है। ४०,४० हजार के मकान एक रात में गिरा कर जमीन के बराबर कर दिये गये और किसी की आँख में आंसू भी नहीं आया। मैं अर्ज करता हूँ कि यह तरीका नहीं है राहत पहुँचाने का, यह तरीका नहीं है लोगों को बसने देने का। दरअसल यह वह तरीका नहीं है जिसके जरिये आप कहते हैं कि रामराज्य आये। सिविल लिबर्टीज (नागरिक स्वतन्त्रता) को धगर रेस्टोर करना है तो इस ब्लैक ऐक्ट को हटा दीजिये। मैं समझता हूँ कि इस कानून को आपने नाजायज तौर पर इस्तेमाल किया है जो कि हमारे कांस्टिट्यूशन के खिलाफ है। जो हालात हमारे सामने आये हैं। उनको देखते हुए मैं कह सकता हूँ कि इस बिल को मुल्क हाँगज नहीं चाहता है। मैं अपने कांशिपन्स के बखिलाफ कर्हना अगर मैं सारे हाउस से यह न कहूँ कि इस बिल को मंजूर नहीं करना चाहिये।

1 P.M.

**Shri Feroze Gandhi** (Pratapgarh Distt.—West cum Rae Bareilly Distt.—East): I do not want to speak. I just want to have a clarification with

regard to the assurance given by the Minister for Works, Housing and Supply which is given on Page 19 of the Select Committee's report, with regard to the setting up of an advisory board. I would like to know what power the advisory board will have and what the composition of this board will be and whether the decision of this board will be binding on the Improvement Trust or not. I would like to know this because this is a very important thing. This assurance has been given by the hon. Minister to the Select Committee and he has repeated it on the floor of the House. I would like to know what sort of a board this is going to be, whether this board is going to have the power to impose its decision on the Improvement Trust, or it is just going to be an advisory board.

**The Minister of Health (Rajkumari Amrit Kaur):** In the first place I would just like to reply to what the hon. Member Shri Feroze Gandhi has said. Obviously an advisory body cannot be a body whose decisions would be binding on the Trust, but I have no doubt that when I ask Members of Parliament to form an advisory board—really the Improvement Trust is almost in a sense not even functioning today because it is the Delhi Development Provisional Authority that is functioning, and when the bigger authority comes the Improvement Trust will be merged in it—I have the hope that in regard to the removal of people from any area, their advice will be considered with the consideration that it merits and that there will always be a compromise or an agreed solution arrived at. I am a great believer in the building up of traditions and in believing in Government's assurances, but if I have to tie the hands of whatever executive body there is that it cannot move unless the advisory board's advice in toto is accepted, that is not a position that Government could possibly take.

**Shri Feroze Gandhi:** What will be the composition of the board, who will be the members?

**Rajkumari Amrit Kaur:** I myself was going to ask Members of Parliament. I have not thought in detail about it. I can name three or four even now. I thought I might have five Members of this House. Three Members of this House are already on the Delhi Development Authority and I could have three more Members who can come and advise us, if that is acceptable to the House, or if you would like five, I am prepared to have five on this particular advisory board. I have no doubt that the Development Authority will listen with the utmost consideration to all their views. They can go round with you, see the areas and plan out things in consultation with you.

**Shri Feroze Gandhi:** Will there be only Members of Parliament on the advisory board? Nobody else?

**Rajkumari Amrit Kaur:** There again I was saying it should be an advisory body of the Members, but I am perfectly willing to have even non-Members on the board. I will be guided by whatever the Members of this House say.

**Mr. Speaker:** It is not that the non-Member wanted to say that others must be there.

**Shri Feroze Gandhi:** I do not want to say that. I only wanted to know the hon. Minister's mind. There was no suggestion.

**Rajkumari Amrit Kaur:** In my mind I only thought that because I was giving an assurance on the floor of the House it should be Members of this House who are interested in this question, but if the Members of this House would care to suggest to me at any time that we should have some others from the citizens of Delhi, I have no objection. Already Shri C. K. Nair, Shrimati Subhadra Joshi and Shri Naval Prabhakar are there and I thought if Shri Feroze Gandhi himself came and two other Members, I would.....

**Pandit Thakur Das Bhargava:** May I know if there is an advisory board already existing?

**Rajkumari Amrit Kaur:** They are on the Delhi Development Authority.

**Pandit Thakur Das Bhargava:** We are not asking about the Delhi Development Authority. We are asking about the advisory body about which assurance has been given by the hon. Minister of Works, Housing and Supply with regard to this Improvement Trust. She is speaking of another authority.

**Mr. Speaker:** I understood the hon. Minister to say that at every stage in every institution there is representation and she is willing to have five Members of Parliament as members of this advisory body

**Shri Feroze Gandhi:** It has been made clear that the decisions of this advisory body will not be binding on the Improvement Trust.

**Shrimati Sushama Sen (Bhagalpur South):** What is the use of it then?

**Shri Feroze Gandhi:** It is only advisory. That is the position that we want to understand.

**Shri C. K. Nair:** Is a mere assurance sufficient to empower the advisory body to make their opinion accepted by the Authority? That is the point

**Mr. Speaker:** Then it ceases to be an advisory body. The hon. Member wants to tell the House if it is an advisory body, then it advises. It must be up to the Government to accept or not to accept

**Pandit Thakur Das Bhargava:** This is the principle that 99 per cent. of such advice is accepted because it is a statutory body.

**Mr. Speaker:** That is what will be done, but if you ask the Government to commit itself and to say it must be binding, it ceases to be an advisory body. Though technically and by convention almost everything

that is advised or every advice is taken and ought to be adopted and wherever the Government has got a difference of opinion, they may put it up once again to them so that there may be unanimity, still there might be cases where it cannot be accepted. That is their idea.

The hon. Minister may go on.

**Shri C. K. Nair:** Will it be a statutory body?

**Mr. Speaker:** It is not included in the statute.

**Rajkumari Amrit Kaur:** I want to contradict what Pandit Thakur Das Bhargava has said that I did not reply to any of the points he raised yesterday. I replied to all of them and proved, I hope to the satisfaction of the Members of this House if not to his satisfaction, that all the allegations that he had made were in correct. Only this morning Shri Feroze Gandhi took objection to a remark that one of the Deputy Ministers of Government had made with regard to a particular Member. I wish now to take strong objection to the remark that has been made by Pandit Thakur Das Bhargava. He has said:

I take strong objection to it. Do you understand what it means, Sir?

**An Hon. Member:** What is the word?

**The Minister of Defence Organisation (Shri Tyagi):** It is a proverb.

**Rajkumari Amrit Kaur:** I do not care if it is a proverb or what it is. I say that it is a most objectionable remark. I take strong objection to it and this is the point raised by Shri Gandhi this morning. I have listened on more than one occasion to many things that have been said, unkind remarks, unmerited remarks that have been made against me on the floor of this House, but I have never used language such as this against any of the Members. I have far too much dignity and I treat even a remark like the one I refer to with the contempt

that it deserves, but I think that it should be brought to your notice.

I have replied to every allegation against the Improvement Trust that has been made and I have got proof here to show that what has been said is wrong. I have said that as far as sympathy with the refugees is concerned, perhaps no one has greater sympathy in his heart than I have, having seen them in their distress and helped them. And I am not going to do anything in the future either that is going to cause them harassment. My friend opposite asked: "Is Delhi going to be a city of palaces and going to be only for the rich people?" No place in India can be for rich people. Rich people are a handful, and there is no plan here that wants to send away the poor people from places where they are living and not to rehabilitate them, but where there is overcrowding, where 10,000 people are living and only 5,000 are supposed to live, then naturally those persons have to be removed, and we always make it a point to remove them to places where it is possible for them to earn their living, get employment and live in much happier conditions than those in which they are living today.

I do not want to say anything more because I have said everything that is possible to be said in my reply yesterday.

**Mr. Speaker:** I am sorry, I have not been able to follow the statement made about aurat. I do not know the implication of it because I am not conversant with the language. But I find this tendency, which I strongly condemn; no difference ought to be made on the ground of sex. Referring to a woman or a man and saying that a woman is always that way, or that a man is always that way, is not right. And I found even the Deputy Minister referred to the lady Member. Now, an hon. Member of importance and long standing refers to aurat. Both men and women are equally competent to manage the administration.

[Mr. Speaker]

The President can be an aurat. Under these circumstances, to distinguish on the ground of sex and say it is a disqualification and refer to it on the floor of the House, is not proper.

**Pandit Thakur Das Bhargava:** May I just say this, because you said that you were not conversant with the language? I only said:

प्रीत हाकिम गजब खुदा ।

**Mr. Speaker:** What does it mean?

**Pandit Thakur Das Bhargava:** It only means that if a woman is an administrator, then, well, she does not administer like a man; she administers, perhaps, as if there was a terror of God. That only means that she has no mercy and is very stern and observes the rules in all sternness, whereas a man would not do so. Is it wrong?

**Rajkumari Amrit Kaur:** The interpretation of that is that if a woman is an administrator, God help those people, it is the curse of God. His interpretation is not right.

**Mr. Speaker:** With all respect, I do not approve of the statement. I find that all over, the reference is in derision—that if a woman is an administrator, God save us or that she will administer the rules and regulations with a stony heart and so on. I appeal to all hon. Members in this Parliament, and I hope it will be heard all over the country, that no reference shall be made to any person merely on the ground of sex, either one way or the other. I think hereafter, whatever might be the beauty of a proverb and however tempting it may be to use it, care shall be taken not to use such proverbs in future.

So far as this matter is concerned, I hope and trust that nothing is meant. If the hon. Minister thinks that it ought not to find a place, I shall have no objection to ask that that portion need not appear in the record.

Hereafter, proverbs relating to the peculiarities of women, particularly

about their conduct or harshness or anything, shall not be quoted in the House. And I won't be taken napping. Unfortunately, I was not able to understand the meaning of this. This creates a lot of trouble.

**Shri Velayudhan** (Quilon cum Mavelikkara—Reserved—Sch. Castes) rose.—

**Mr. Speaker:** Enough has been said so far as the Third Reading is concerned. I will now call upon the Minister, Sardar Swaran Singh.

**The Minister of works, Housing and Supply** (Sardar Swaran Singh): At this stage of the Bill I do not propose to take much of the valuable time of this honourable House.

The observations that were made by Shri Basu about the general principles of slum clearance are unexceptionable and whenever any slum clearance scheme is formulated, I am sure adequate steps will be taken to ensure that slum evictees are not put to any hardship. Objection has been raised that this perhaps is too general a statement and that something more specific should be said with regard to the actual handing of the slum evictees. I am sure that a comprehensive legislation will have to be undertaken to create an Authority which deals with slums. Power will also have to be given to that Authority to clear the slums after making provision for alternative accommodation. Principles will have to be settled for working out any compensation that might be due either to the owners of the structures or to the owners of the land upon which those structures are situated. Already the amendment in the Constitution does provide for fixing a scale of compensation with regard to slums, which need not be at the market value, and the courts will not go behind that. It is the intention of Government to undertake comprehensive legislation which will lay down all those principles.

It is an exaggerated statement for Shri Basu to make and to paint the picture that the way we are handling

this problem is taking us towards making Delhi a city of palaces and that the poor people will not have any place in it. That, I submit, is not a very fair criticism so far as Government's schemes and the various slum clearance or slum improvement schemes are schemes about the general settlement of the general layout and the master plan are concerned. I would like to remind this honourable House that a very large number of residential units have been put up for people who cannot be described as rich. The large number of government quarters for Class IV employees, for clerks and for low-paid staff, the large number of refugee tenements that have been built in the city, the housing that has been undertaken by the Improvement Trust, all those activities in this field of construction clearly show that the intention is not to give any particular type of turn to the general appearance of the City of Delhi, except the natural desire to see that the lot of those people who are in difficulty and who live in sub-human conditions, in filthy surroundings, in unhygienic conditions should be improved. That is the sole desire. Somehow or other my hon. friend Shri Basu appears to be very much obsessed about foreign reactions. We always do take care of all foreign reactions, and it is not an undesirable feature that we should take pride that anybody who comes to Delhi or, for the matter of that, to any other city should have a feeling that the place is neat and clean. Is the hon. Member seriously suggesting that we should take care to ensure that any man who comes from abroad should always see that the things are very filthy and they are not hygienic and the layout is not good?

**Shri K. K. Basu:** Oh yes!

**Sardar Swaran Singh:** My submission is that perhaps his own susceptibility to those foreign influences one way or the other is partly responsible for accusing the Government that we are doing all this work of improve-

ment of the city only to make it as a show-piece for foreigners. If the foreigners like it after the improvement, I will be happy. But my principle desire is to bring some comfort and some solace to the unfortunate people who are suffering.

**Shri M. S. Gurupadaswamy (Mysore):** We accuse both, both the Government and foreigners.

**Sardar Swaran Singh:** I submit that the essential basis for any slum clearance scheme will consist of adequate re-housing, principally at the place wherever the slum is removed. If all those slum evictees cannot be rehoused there, and the place does not fit in with the general master plan which might be approved of after due consideration, then adequate provision should be made for rehousing them at another appropriate place; and that also should be undertaken in such a manner that the minimum hardship is caused to those evictees. This, I am sure, will be the general principle that will have to be followed in implementing any slum clearance scheme.

**Shri C. K. Nair:** Will this principle be accepted in the master plan that, as far as possible, the local people should be accommodated first, and if there is an excess they may be sent out?

**Sardar Swaran Singh:** I think so far as the details of the master plan are concerned, this will be before the general public and I am sure the Members of Parliament will also like to look at it. So, instead of discussing it in theory, it will be much better that we have a look at the plan and then make suggestions which could really be implemented.

Then again, the suggestion had been made by more than one Member that the re-housing scheme in relation to a slum clearance project will have to be subsidised. That is a principle which the Government have accepted. But there is always a limit to the quantum of subsidy. That limit really decides the limitations which have

[Sardar Swaran Singh]

to be adhered to, and within which we have to work, in order to undertake re-housing schemes, to determine the size of the houses, whether they should be multi-storeyed or not, to determine the availability of services and so on. All those considerations are naturally reflected in the rentals that will work out.

I may straightway say that slum clearance schemes will necessarily involve a certain quantum of subsidy. Government have already accepted that principle. Schemes have been circularised to the various States, specific projects have been invited, suggestions have been asked for, and they have been asked to submit concrete schemes in answer to that letter which has gone out, where the broad lines of the slum clearance scheme, the quantum of subsidy that could be made available, the quantum of financial assistance by way of loan that could be given, etc., are clarified. I took opportunity on an earlier occasion to place a copy of that circular on the Table of the Sabha.

With regard to the suggestions made by Shri C. K. Nair, namely, that there should be a master plan, and that there should be a bigger authority which should be invested with powers to deal with this question in a comprehensive manner, a reply has already been given by my colleague the Health Minister. She has already told the House that a master plan is nearing completion; it will be placed before the public and before the Members of Parliament; they can then examine it, and whatever suggestions they make will receive the consideration that they deserve.

**Shri Kamath** (Hoshangabad): It is only an interim plan, and not the final one. Interim master plan, isn't it?

**Shri K. K. Basu**: No permanent masters.

**Sardar Swaran Singh**: My hon. friend is fond of permanent masters.

We are prepared to become permanent masters.

My submission is that it will be interim in the sense that when ultimately the details are worked out, it will be a much more comprehensive thing, giving details of all the little bits. But this plan is interim in the sense that it gives the broad lay-out, the direction in which development will take place, etc., and it gives the broad picture; it is interim not in the sense that it is liable to be changed later, but in the sense that details may be filled in later, within the broader framework that will be forthcoming.

With regard to the constitution of a permanent authority, I may assure that this matter is already engaging the attention of Government. The very name 'Delhi Development Provisional Authority' does indicate that there will be a full-fledged authority which will replace the Provisional Authority. Something had to be done, because haphazard growth was taking place all over the city, and this Provisional Authority was constituted with a view to arrest this haphazard growth, and to give some shape and lay down some method for building activity. I am sure that a comprehensive Bill will be brought forward. If the reaction of the hon. Members of this House is one of repulsiveness to the nomenclature 'Improvement Trust', then the Delhi Development Authority, which, I think, will take within its wings and within its authority all the functions of the Improvement Trust, will be called an Authority, and hon. Members will have ample time, when the necessary legislation is undertaken, to make suggestions; and I am sure that they will receive full consideration at the hands of Government.

**Shri C. K. Nair**: With new blood also.

**Sardar Swaran Singh**: I could not hear.

**Shri Nand Lal Sharma** (Sikar): Life-blood.



**Sardar Swaran Singh:** What a big name my hon. friend Shri Nand Lal Sharma has used.

The work is of a tedious and labourious character. It is not very pleasant either, except that the ultimate objective towards which we are working is really good and noble. But it does involve a lot of detailed work. Individual interests clash here with the bigger interests of the community at large. To find some sort of balance by which the individual interests may be reconciled, and the individual hardships and difficulties may be minimised, and the bigger objective of overall improvement may also be achieved, is something which has to be laboriously worked for, and cannot be done merely by catch phrases or strong language but only by examining the details, by looking into the difficulties, by appreciating the handicaps and then by working out, within that broad framework, the details which are necessary in a matter of this nature.

Actually, in theory, there is seldom any conflict. It is only when that theory is actually translated into practice and into actual blue-prints, that all these troubles arise, and it is really at this stage that very consistent, laborious and hard work is necessary to produce results.

My hon. friend Pandit Thakur Das Bhargava had complained that the points that he had raised had not all been answered. The reply has already been given by the Health Minister. It is true that the speeches that we delivered in reply were not of the length of the speech of my hon. friend Pandit Thakur Das Bhargava. Maybe, we on this side lack his gift of elaborating, points, and making very comprehensive speeches. But we thought that we were doing our duty squarely by noting down the salient points that had been raised, and in our own humble way, by trying to give Government's view, or explaining Government's position with regard to them.

I shall again try to recapitulate and find out whether I have been really guilty. After strong introspection, I

have come to the conclusion that his speech, if analysed, comes only to this, namely that assurances had been given, which assurances have not been complied with, and on which, in spite of the fact that the Committee on Assurances had made a report about them, Government have not taken any action. The rest of his speech consists only of illustrations and instances in support of this broad proposition that he was trying to develop.

I said in the course of my reply that we have given our version, in respect of the case that has been made out by the Committee on Assurances. That has already been placed on the Table of the House. The Committee on Assurances have asked for further clarification. We are making an effort to collect that information, and we shall pass it on to the committee, and then, I repeat, we shall either convince them or be convinced by them.

I thought that instead of using the indulgence which you so kindly gave us, if we could sort out the differences in a spirit of solving them rather than score a debating-point by trying to controvert every little thing, that might be a better method of solving the difficulties. And we chose the path of not indulging in a purely dialectical exercise by trying to controvert every little thing that was raised by my esteemed, friend, by these arguments and that argument.

The essential parts of these assurances are as follows: The first was about *ex-gratia* payment. As for that, my esteemed friend himself has admitted that a letter has now been issued by the Health Ministry, although this was a belated thing.

Then with regard to the principle of charging for land on a no-profit-no-loss basis, I do not know if my esteemed friend has seen the letter that has been issued by the Health Ministry, fixing the scale of compensation that is chargeable and which is to form the basis of charging the price.

**Pandit Thakur Das Bhargava:** I have seen all this.

**Sardar Swaran Singh:** If my hon. friend has seen all this, then so far as the assurances part is concerned, I could not do better than repeat what is contained there.

**Pandit Thakur Das Bhargava:** The Assurances Committee had said that it should be given on a on-profit-not-loss basis. But you charged Rs. 30 per yard as the market value in some places.

**Sardar Swaran Singh:** I do not know wherefrom my hon. friend got this figure of Rs. 30 per yard....

**Pandit Thakur Das Bhargava:** From the documents supplied to us.

**Sardar Swaran Singh:**...for residential purposes

**Pandit Thakur Das Bhargava:** For commercial purposes.

**Sardar Swaran Singh:** For residential purposes, it varies from Rs. 11 to Rs. 12-10 and for commercial purposes, it varies from Rs. 21 to Rs. 33. The market value in all these areas would be to the tune of anywhere from Rs. 50 to Rs. 70 in the residential areas and anywhere from Rs. 50 to Rs. 150 for the commercial areas.

It may be that the concession does not come up to his expectation, but to say that no action has been taken is something which perhaps does not represent a correct picture.

I would therefore, submit that so far as this Bill is concerned, we have discussed it at very great length. All these points which have been raised will be surely kept in view in implementing this Bill.

**Shri M. K. Moitra (Calcutta-North West):** On a point of information, will the Minister be pleased to give an assurance that the Advisory Committee will be consulted before eviction notice are issued?

**Sardar Swaran Singh:** I think that that is a matter really of detailed administration. Actually, the Health Ministry will work out the details of the constitution and the way they function. But I would hesitate to be a member of any advisory committee where I am called upon to perform executive functions. Either I am a member of the Board itself, or, if I am in an advisory capacity, I won't take the responsibility of actual execution of the various schemes. I feel that the issuing of eviction notice is very much an executive function. It may be that boardly the scheme is settled, that this is the re-housing scheme and they take the advice and all that. After that, so far as issuing of eviction notice in each individual case is concerned, whether it is 10 days or 15 days and what is going to happen and all that, these are matters of detail. I would hesitate to become a member in an advisory capacity of such a body which is given executive functions. Either I be on the Board or if the Committee is advisory, I will advise on policy matters but not on details of administration.

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

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

The motion was adopted.

#### STATE FINANCIAL CORPORATIONS (AMENDMENTS) BILL

**The Minister of Revenue and Defence Expenditure (Shri A. C. Guha):** I beg to move:

"That the Bill, further to amend the State Financial Corporations Act, 1951, be taken into consideration".

The State Financial Corporations Act was passed in 1951 in order to enable State Governments to establish Financial Corporations for providing long-term credit to small-scale and medium-scale industries. Since then, 13 State Financial Corporations have