

COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS

THIRTEENTH REPORT

Sardar Hakam Singh (Bhatinda): I beg to present the Thirteenth Report of the Committee on Private Members' Bills and Resolutions.

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

EVICCTIONS OF TENANTS IN DELHI

Shri Vajpayee (Balrampur): Under rule 197, I beg to call the attention of the Minister of Works, Housing and Supply to the following matter of urgent public importance and I request that he may make a statement thereon:—

"The large-scale evictions of Delhi tenants and hunger strike by the President of their Federation."

The Minister of Works, Housing and Supply (Shri K. C. Reddy): Mr. Speaker, Sir, evictions of tenants in Delhi are regulated by the Delhi and Ajmer Rent Control Act of 1952, which has about 14 grounds on which a house-owner can move the court for the eviction of his tenant. It will be recollected that Parliament passed in December, 1956, the Delhi Tenants (Temporary Protection) Act which reduced the number of grounds to four only in case of tenants paying a rent of less than Rs. 100 per month. A tenant who is under order of eviction by a court, enjoys a further protection under the Slum Areas (Improvement and Clearance) Act of 1956. If a tenant is living in a declared slum-area, no person who has obtained any decree or order of eviction against him is entitled to execute such a decree or order, except with the previous permission in writing of the competent authority. It will thus be seen that the tenants today

enjoy a fair measure of protection against eviction. By far the large majority of the poorer tenants live in slum-areas in Delhi. Before a house-owner can evict them, he has to appear before the competent authority, who after giving an opportunity to the tenant of being heard and after making such summary enquiry into the circumstances of the case as he thinks fit, grants or refuses to grant the eviction ordered by the Court. According to information now available, there have not been any large-scale evictions since the passing of the two Acts in 1956. On the other hand, it appears that the number of evictions is on the decline.

However, since numerous complaints were received from the tenants as well as house-owners about the provisions and working of the 1952 Act and the Temporary Protection Act of 1956, I and officials of my Ministry have been meeting their representatives from time to time. The representatives of the Delhi Pradesh Kirayadar Federation also met me and it was in early January, 1958, that they demanded that Government should issue an Ordinance stopping all evictions, except on grounds of non-payment of rent, and should set up a committee consisting of the representatives of the tenants, landlords and Government officials to let out vacant premises in future. It was stated that if this was not done by 25th January, the President of the Federation would proceed on a hunger strike on 27th January. Officials of my Ministry, who saw the representatives of the Delhi Pradesh Kirayadar Federation on 14th January, pointed out to them that the viewpoint of the Federation would have to be considered by Government along with the views expressed by other interests and associations. They were also informed of the programme relating to the introduction of a Bill in Parliament during the Budget Session and were told that Government were doing their best to bring in comprehensive legislation on the

[Shri K. C. Reddy].

complicated subject of the relationship between house-owners and tenants in Delhi.

My Ministry has been in consultation with the Ministries of Home Affairs and Health and the Chief Commissioner, Delhi, in order to formulate concrete proposals for legislation. A meeting, which the Home Minister wanted to hold with representatives of house-owners and tenants, before this threat of hunger strike was received, was held on 24th January. After hearing both sides, it was suggested that much the better course would be for representatives of tenants and house-owners and officials of my Ministry to get together informally with the Chief Commissioner, Delhi, and endeavour to come to agreed conclusions on the various issues involved or, on as many of them as possible. This would, it was felt, lead to a much more satisfactory and harmonious solution of the difficulties than any settlement imposed by Government, which may not be equally acceptable to both sides. The representatives of the two associations of house-owners and one association of tenants (the Central Tenants Association) agreed to the proposal, but the representatives of the Delhi Pradesh Kirayadar Federation wanted further time to examine the matter. Later on, however, the Federation decided to participate in the discussions.

The informal committee started discussions under the chairmanship of the Chief Commissioner and its deliberations are now just over. These discussions were also attended by the representatives of the Delhi Pradesh Kirayadar Federation. However, a day prior to the conclusion of the deliberations, i.e. on 7th February, 1958, the Federation wrote to say that nothing would come out of these deliberations and that their President would go on hunger strike outside the Prime Minister's residence on 9th February, 1958.

It is clear that the Federation wanted Government to accept immediately their two main demands, namely, the setting up of a committee to let out vacant premises and to stop all evictions except on the grounds of non-payment of rent, and an announcement made by Government to that effect, even before Parliament had a chance of examining in detail the various implications of the landlord-tenant relationship in Delhi. Since this relationship is now governed by Acts passed by Parliament, the position taken by the Federation is patently untenable and could not be accepted.

A report on the informal discussions held by the Chief Commissioner is awaited. Government intend, as has been indicated before, to formulate proposals on this difficult question of the relationship between house-owners and tenants in Delhi and to introduce legislation during the current session of Parliament.

RE: NOTICE TO RAISE A MATTER
OF PRIVILEGE

Mr. Speaker: Before the House takes up the debate on the President's Address, I would like to give my ruling regarding the notice that was given by Shri A. K. Gopalan and a few others yesterday.

Shri A. K. Gopalan (Kasergod): Mr. Speaker, will you hear me for two minutes before you give your ruling? Yesterday a notice was given and I had already said yesterday, there was no precedent for this in this House. In the Constitution it is said in article 105(3)—I have not got the Constitution, you may have referred to it—that where there is no precedent, the House of Commons procedure is followed. In *May's Parliamentary Practice* the procedure is given and I have given it in my notice yesterday. The Rules of Procedure do not provide for raising a question of contempt. On page 109, of *May's Parliamentary Practice* it is said that any act or omission which obstructs or impedes either House in the perfor-