

of the Prime Minister, or, I will be the third choice of the Prime Minister for this post of Finance Minister? Do they want a JPC in order to find whether Mr. Pramod Mahajan went to the room of Mr. Guru-swamy and met Mr. Pramod Mittal, or, that Mr. Pramod Mittal was sitting there before? What is it that this JPC will do? They are saying that we have no proof. They, are saying, you supply us the proof. Why don't you give us the proof so that we could tell you? What an argument! I have been, a Member of this House, and I have listened to many debates. I was present here and the whole House was absolutely jam-packed. Every Member was present when we were discussing the Bofors issue in this House. I have seen many debates in this House. But, I am saying with a great deal of sorrow and a great deal of sadness, rarely have I witnessed, rarely have I participated in so farcical a debate that we started on Saturday. Never once; never once. And with all due respect to the hon. Members of the Oppositions who have chosen to walk out because they could not stand the searing truth. They could not stand being burnt by the truth with which they were confronted. So, they have walked out. Let me say, Sir, there is absolutely no truth in the allegations. There is absolutely no case for a JPC. And with all due respect. Sir, I would say that this has been a total waste of time. Perhaps this debate should never have taken place. Thank you very much.

SHRI R. MARGABANDU: Sir, we demand a CBI inquiry. *(Interruptions)*.

MR. CHAIRMAN: I have not permitted you. *(Interruptions)*.

SHRI N. THALAVAI SUNDARAM (Tamilnadu): Sir, you had permitted it in the morning. *(Interruptions)*.

MR. CHAIRMAN: No. I have not permitted it. *(Interruptions)*. I have not permitted anybody. *(Interruptions)* Please go back. *(Interruptions)*. No, no. *(Interruptions)*. I have not permitted anybody. No, no. *(Interruptions)*. Shri

Gurudas Das Gupta, please move the Motion. *(Interruptions)*. I have not permitted. *(Interruptions)*. I have not permitted. *(Interruptions)*. Please go back to your seats. *(Interruptions)*. No, no. *(Interruptions)*. Nothing will go on record. *(Interruptions)*. Shri Gurudas Das Gupta. *(Interruptions)*. Nothing will go on record. *(Interruptions)*. Nothing will go on record. *(Interruptions)*.... Nothing will go on record. *(Interruptions)*... Nothing will go on record. *(Interruptions)*.... Nothing will go on record. *(Interruptions)*... Mr. Gurudas Das Gupta is to move the Resolution disapproving of the Urban Land (Ceiling and Regulation) Repeal Ordinance, 1999. *(Interruptions)*... Nothing will go on record. *(Interruptions)*....

I. STATUTORY RESOLUTION SEEKING DISAPPROVAL OF THE URBAN LAND (CEILING AND REGULATION) REPEAL ORDINANCE, 1999

II. THE URBAN LAND (CEILING AND REGULATION) REPEAL BILL, 1999.

SHRI GURUDAS DAS GUPTA (West Bengal): Mr. Chairman, Sir, I beg to move:

"That this House disapproves of the Urban Land (Ceiling and Regulation) Repeal Ordinance, 1999 (No. 5 of 1999) promulgated by the President on the 11th January, 1999,"

Sir, my point is that the Government is deliberately enacting a legislation which will lead to land speculation in the country.

[The Vice-Chairman, Shri T.N. Chaturvedi *in the chair*]

If the present Ordinance is allowed to be passed by the House, it will lead to a speculative rise in the price of urban land. It will lead to grabbing of the most important part of the urban land by the business houses. It will lead to the middle class losing their landed property. It will

lead to investment of black money in urban land business and the economy will be affected. Therefore, I am opposing the Ordinance which the Government seeks to bring to this House for approval.

THE MINISTER OF URBAN AFFAIRS AND EMPLOYMENT (SHRI RAM JETHMALANI): Mr. Vice-Chairman, Sir, I beg to move:

"That the Bill to repeal the Urban Land (Ceiling and Regulation) Act, 1976, as passed by Lok Sabha, be taken into consideration."

And the Resolution disapproving of the Ordinance moved by Shri Gurudas Das Gupta be rejected.

Sir, after the debate on both these matters which are to be discussed together, I would make a consolidated statement at the end of the discussion. But, at the moment, I only wish to draw the attention of the House to a few salient facts which, I think, would persuade my learned friend not to persist with the Resolution that he has moved.

Let me just state a few facts which cannot be denied. The history of this legislation is this. This was passed during the Emergency with an obviously very laudable motive. The laudable motive was that land would be taken charge of by the Central Government and the Governments in various States and that that land would be used for the purpose of constructing houses for the poor who have not been able to afford a house till death. I don't for a moment doubt that the Bill was passed with a laudable motive. But the history of this legislation is a history of dismal performance. I don't think such kind of a dismal performance has been registered by any piece of legislation on the Statute book of this country. By 1979, when the people were just recovering from the difficulties of the Emergency, the Act was found to be unworkable and murmurs started. It became stronger and stronger that the Act should be repealed. I only wish to request my friend, for whom I have such

great respect, that he must draw the necessary inference from the landmarks in the history of this legislation. By 1979 there were 59 amendments which were proposed by various States. None was convinced that the Act in its present form would serve the purpose. Everybody was satisfied that the Act was not workable, and, everybody wanted at least some amendments; but nobody had yet the sufficient intellectual courage to say that this Act must go lock, stock and barrel. Sir, by 1992, the repeal of the Act was considered as an alternative, and the then Cabinet was faced with the prospect of either considering the amendments which were being proposed or to repeal the Act. And this was six years before this Government ever took office. By 1992, the repeal of the Act was considered as one of the very, very workable and good alternatives. Things still dragged on. In August, 1995, there was an all-party conference to consider this Act. And the result of that Conference was that the repeal, virtually, came to be accepted as the only practicable alternative, though I must concede that, side by side, the question of considering these prolific amendments to the original Act were still in operation as the possible alternative. In 1996, finally, political courage was picked up, and a Cabinet note was prepared, a Cabinet note which said that the Act must go. So, Sir, my learned friends will please horseback only three years in the time dimension, and they will realise what kind of a dispensation existed in 19%. In 1996, the then Government of this country ' was convinced that the repeal was, perhaps, the only solution, and amendments would not do. In that year, the Cabinet considered it, and the Cabinet said that this Act must be repealed, but it would be repealed as soon as two or more States asked for the repeal, because that is the constitutional requirement of the legislation which was passed under the particular article of the Constitution. But the Cabinet was, firmly, of the opinion that we must only comply with the

formality of the constitutional imperative being fulfilled and when two or three States make a request, we must go through with it. Sir, after this, in August, 1997, Haryana, formally, asked for relief. This was followed by Punjab in February, 1998. Therefore, what I am trying to do now is to execute the decision of the Government which existed in 1996, which was a final decision for repeal. But the only snag was that at that time, two States had not made that request. And they said that the decision was conditional as they would have to wait till the first two States come and make a request. By February, 1998, that condition was fulfilled, and the decision which was, initially, in some sense, subject to condition, which was conditional, became unconditional. I am really carrying out the decisions of the Government which was in power in 1996. I am carrying out the decision of a Government supported by the Parliament which then existed, and I am not adding anything new. Sir, in the course of the debate which took place in the Lok Sabha, — the Lok Sabha had already passed it after a prolonged debate — one point was made, and it may be made here also. I am anticipating it. It was asked: What is this? You are going at the instance of two small States like Punjab and Haryana?" No, we are not going at the instance of two States like Punjab and Haryana. We are going with it because a lawfully constituted Government of India came to a solid conclusion that the amendment of the Act was no longer a feasible proposition and that this Act has to go. It was the Government of the whole of India which took that decision. It was a Cabinet decision. It is only because there is a constitutional requirement that two or more States must make a request that that request was made. So, the request was being made by two States because they happened to be the first two States. But, let me here divert myself a little.

SHRI GURUDAS DAS GUPTA: At your instance.

SHRI RAM JETHMALANI: At the instance of the earlier Governments — and that was the decision; Haryana in August, 1997 and Punjab in February, 1998. We did not exist at both these points of time. I wish to remind my friend that that Government was supported by them; that Government had a distinguished representative, the Home Minister, who belonged to a Left party, and; that Cabinet had done this. I should be sorry; I have such great respect for Members of this House and this House collectively; I suggest that views of mature states — and you are all mature statesmen — should not depend on such vital matters on the exigencies of power politics or on who happens to be in power or who is the person who wishes to initiate a particular piece of legislation. I suggest that your attitude to important measures, which are being moved by the Government, cannot depend upon the locale of your seating arrangement in this House. Only the seating arrangement has changed. But you are all a party to this. We are the ones who were not a party to it and we are now supporting this measure. So, according to me, there should be complete unanimity on this subject and we should really have no debate at all.

SHRI GURUDAS DAS GUPTA : May I submit, Sir? The hon. Minister is suffering from locational aberration.

THE VICE-CHAIRMAN (SHRI T.N. CHATURVEDI): Then, you are suffering from some kind of a time-factor aberration. Isn't it?

SHRI RAM JETHMALANI: I may be suffering from locational aberration. But my friend is suffering from something worst called the linguistic indigestion. I don't know from where he coined that word, which doesn't exist in the English language. *(Interruptions)*

SHRI JOHN F. FERNANDES (Goa): Sir, why is the hon. Minister afraid of debate? We can debate and then be unanimous.

SHRI RAM JETHMALANI: Sir, according to me, it should be unanimous. It is at least binding on the Congress Party and I wish to say why it is binding on the Congress Party.

With that preliminary observation, I will sit and listen to the debate and ultimately make a comprehensive reply at the end of it.

Sir, ultimately, in these economic matters, we go by the expert advice. There is no doubt that we have a serious problem. The serious problem is that this unfortunate country and the unfortunate people of this country are today short of 33 million dwelling units. This shortage has arisen, according to me, directly as a result of the prevalence of this evil statute on the Statute Book, as a statute which has justly been given the description of an ulcer rather than a piece of legislation. For the benefit of my learned friends, whose support I am earnestly soliciting, here is an

article, which appeared in the *India Today* and it is written by their economic spokesman, Mr. Jairam Ramesh. The author is the Secretary of the AICC's Economic Affairs Department and the views expressed here are not the views of the magazine. (*Interruptions*)

SHRI GURUDAS DAS GUPTA: The hon. Minister is leaning back on allurements to get the support of the other parties.

THE VICE-CHAIRMAN (SHRI T.N. CHATURVEDI): It is the consensus that he is trying to build on an important subject.

SHRI RAM JETHMALANI: This is what your economic expert has said, "Never judge a policy...

SHRI GURUDAS DAS GUPTA: Sir, we are really afraid of advisors. In the morning today, we had a horrible account of one advisor. Now, he is going back to another advisor.

SHRI RAM JETHMALANI: Sir, I am quoting the advisor. I would not rely

upon him unless his opinion did not coincide with my own opinion. If his opinion coincides with the opinion of the people the world over, if it coincides with everybody's opinion, except those who are still governed in some sense by the philosophy of 1884, I would rely upon his opinion. He says, "Never judge a policy by its intent, but always assess it by its consequences. Nothing could illustrate this more vividly than the Urban Land Ceiling Act of 1976. The objectives of ULCRA, as it was referred to, were laudable. It was to prevent concentration of urban land and to promote housing for the poor in the cities. But in actual practice, this Act has reduced the supply of land, inflated land prices, served as a damper on housing and construction activities and impeded the timely closure of sick companies in places like Mumbai, Calcutta, Ahmedabad and Kanpur". Sir, this economist is supported by all the economists in India. It is supported, unanimously, by the housing industry, and the captains of industry in that field. Everybody wants the repeal, and may I again point out to you one more fact before I stop?

Sir, this matter was referred to the Standing Committee of the Ministry. The Standing Committee has 45 Members. All across the board, parties were represented. This Standing Committee in which the critics — and one of the critics was a distinguished Member of this House, — Madam Sabana Azmi; she and some Members who had signed the representation — were all amply represented there. And the Standing Committee ultimately came out with a unanimous report in which they only made one change and one suggestion which I have respectfully accepted. Though, Sir, intellectually, I am not convinced that they were right, but after all, I have always said that no single human being can claim all wisdom, maybe that Standing Committee is right. I have surrendered my own judgment to the judgment of the Standing Committee. I have incorporated that amendment

which they have suggested in the draft. So, this is the new draft which is being presented, completely in conformity with the views of the Standing Committee.

Sir, I have a Consultative Committee in which again many Members are represented, all parties are represented. That Committee unanimously recommended this repeal. Sir, I commend to this House the repeal of this Act because it is preventing me, you believe me, it is preventing me from coming to the rescue of the poor, rescuing them from the slums in which they are passing a kind of life against which even beasts would protest. But unfortunately, I am unable to do that, unless you repeal this Act. Repeal this Act, leave it to me. Trust me for a year more, and see if I don't solve the housing problem or at least don't appear to be solving the problem my own way. I will be solving that problem. And once you are convinced of that... (*Interruptions*)... Once I satisfy that in the next year I have built not two million but four million houses for the poor people — I have to establish my credentials — and you will allow either me or any successor Government to get to the right track and complete the task.

SHRI KHAN GHUFRAN ZAHIDI (Uttar Pradesh): What is the amendment of the Standing Committee?

SHRI RAM JETHMALANI: Originally, I had said that all land on which construction activity has not actually commenced, must be returned. The Standing Committee said, "No, that will be too drastic. Return only that land of which possession has not been taken". So, I have surrendered my judgment to the judgment of the Standing Committee, and we have considerably amended that Act, and we are not allowing that kind of land to go back in which, as a matter of fact, no possession has been taken. That of which possession is taken, will continue to be with the State Governments, and they will have to carry on their housing activities in such a manner as they like. I do hope that when they see

the progress of our projects, I am sure that they will ultimately come to us, and tell us that...

SHRI KHAN GHUFRAN ZAHIDI: Possession by whom?

SHRI RAM JETHMALANI: By the State Governments. May I, Sir, take one second more for just illustration of this bad performance of this Act? Some 245 hectares of land was declared excess in Union Territory of Delhi. In 27 years, they have taken possession of 1.9 hectares.

SHRI GURUDAS DAS GUPTA: That exactly is the point.

SHRI RAM JETHMALANI: That is a bit of a cruel joke on the poor people of this country, and I have come to you earnestly requesting that this cruel joke be terminated.

The questions were proposed.

SHRI S.B. CHAVAN (Maharashtra): Mr. Vice-Chairman, Sir, I have heard with rapt attention the reasons put forth by the hon. Minister for repealing the legislation which, according to me, deserves some greater consideration at the hands of a very learned and very famous advocate. In spite of all the provisions that you have made under the Act, my only simple point is, why did you think it necessary to bring an Ordinance? It was done because of the fact that most of the builders were bringing pressure.

7.00 P.M.

cement, steel and other industries were saying that they would like to have greater sale in the market. They were not knowing that it is going to affect the poorer sections of the society. Let him in his own judgement say that. He is making a tall promise here that if we repeal this Act, then next year we will see that the land has been utilised for the poorer sections of the society. If this was such a clear-cut measure that he had in his mind, then why did he think in terms of bringing an Ordinance for the same with-

out taking into confidence both the Houses of Parliament; It seems that it has become a habit with this Government to bring, half a dozen or so Ordinances before the Parliament. I am surprised that(*Interruptions*)...

SHRI M. VENKAIAH NAIDU (Karnataka): It happend in your time also.

SHRI S.B. CHAVAN: You were objecting to that kind of issuing of Ordinances. ...(*Interruptions*)... Do you think that you should also indulge yourselves in the same?

We committed a mistake, that is why you are there. ...(*Interruptions*)... By our mistakes, you have come here. If you commit the same mistakes, then you will also have to go ...(*Interruptions*)... Please bear this in mind this extraordinary pown of issuing the Ordinances should not be used for such a purpose. In fact, the first objection that I have with regard to this important Bill is regarding the relationship between the Urban Land Ceiling Act and the Agricultural Land Ceiling Act which were passed by both the Houses of Parliament. The Agricultural Land Ceiling Act has served its own purpose, though it may not be to the extent we expected. A lot of litigation is going on in this regard. A number of things have been challenged in this. We do not talk about it in terms of this because it has provided some land which becomes a means of sustenance. for the poorer sections of the society. Now, we have to compare it. Are you satisfied in your heart of hearts that next year you will be able to provide houses for the poorer sections of the society. After the repeal of this Act, the entire vacant land which will be available comes to about two lakh hectares. If this repeal is there, those who have resoures they will grab this land. I doubt very much whether the Government will be in a position to say that they are going to construct about two million houses. Out of these two million, how many are going to be for the poorer sections. I have the experience of Maharashtra. Their friends are there in

power. They have been promising for the last four years that they are going to give about 40,000 houses to the poorer sections. But, not even one single house has been constructed so far. Hon. Minister, Mr. Jethmalaniji, you take it from me that you will also find the same situation after one year. You are not going to construct even a single house. Please tell me your logic on the basis of which you are going to do that. Will the prices come down? It is a presumption which actually is not going to happen. When the land is grabbed by the richer sections, then how are you promising that you are going to have land at a very cheap rate thereby you will be able to construct houses for the poor people? Your argument satisfies you only. I know that you are not pleading a case for social legislation. You are pleading the case of builders you are pleading the case of all those who are more interested in grabbing land. Suppose, you are succeeded constructing the houses. These houses will not be for the poorer sections. I doubt whether in the city of Bombay and in the city of Delhi houses will be available for the poorer sections. They will be driven out of these cities. This Act will be applicable for four cities. You will not find the prices of land going down. They are going to rise. They will not come down. If the prices are so high, hardly will there be any possibility for the poorer sections expecting even one house from the kind of repeal that you are taking about. This is the only point that I have in mind. Since you have referred to the Standing Committee and under what circumstances they have considered this point, I will, merely, refer to the last paragraph of its recommendations. What are they saying; At page 15, under "General Observations", it is said, "Normally, the Statement of Objects and Reasons appended to a Bill, states in brief and simple language the purposes for which the legislation has been brought forward. It also helps the common man to understand the salient features of the proposed legislation. However, in the instant case, as could be observed by the

Committee from the written material as well as from the evidence tendered before them, the Statement of Objects and Reasons appended to the Bill does not reflect the main object i.e., restoration of legislative powers on a State subject to State Legislatures.

According to para 4 of the Statement of Objects and Reasons, one of the objectives of the Bill is to provide, 'affordable living accommodation for those who are in a state of undeserved want and are entitled to public assistance.' However, nowhere it is stated in the Bill as to how the Government proposes to achieve this objective particularly when it will be having no control on the surplus land once the Act is repealed." This is what the conclusion it has come to. Your Statement of Objects and Reasons does not reflect the clear objective that you have in view and the circumstances in which you are seeing that you are going to get this land for construction houses for the poor. Those who cannot afford, in fact, deserve all the assistance from both the Central and the State Governments. At least, I have no doubt in my mind that you cannot possibly construct houses. You cannot construct houses. I have no objection about it. Those houses will be constructed not for poor sections, not for low-income group people, not for weaker sections of the society, but they will be grabbed by the richer sections of the society. And, again, you, or whosoever your successor might be, will have to come before this House by saying, "Sorry. That was our assumption. But our assumption has proved wrong." At least, we can say with some experience that the objective that you have described in your Statement of Objects and Reasons wherein you have said that the poorer sections of the society deserved to be helped is a laudable objective. Now, you are talking of levying tax. You would like to levy shelter tax and you would like to levy some other tax if the land is kept vacant. In fact, you are not going to issue any guidelines. You are not going to have any model legislation. And what kind of mod-

el legislation are you going to advocate? With that kind of model legislation, the State Governments are bound to ask you: When you yourself could not succeed in this matter, you have no moral right to teach us that you go in for this or that. Ultimately, who are going to suffer? Whatever little hope was there that you are going to have some kind of housing for the poor will, totally, after the repeal, go away. After repeal, practically, there will be no solution for providing houses for poorer sections. That is the only thing that I have in mind and I thought, it is a matter of conscience which we sincerely feel that you are going to be totally failing in this matter and the poorer people are bound to suffer. Why do you give this kind of a false hope when you yourself, in your heart of hearts, are not satisfied? You should know that there is hardly any possibility of serving the kind of objective that you have put forth in your Statement of Objects and Reasons. That is the only point I wanted to put forth. Thank you.

श्री ओंकार सिंह लखावत (राजस्थान) :

उपसभाध्यक्ष महोदय, यह जो नगर भूमि (अधिकतम सीमा और विनियमन) विधेयक को समाप्त करने के बारे में जो यहां पर विधेयक आया है और जिसके ऊपर हम चर्चा करने जा रहे हैं, इस विधेयक के बारे में यह कहा जा सकता है कि इस विधेयक की स्थिति यह है कि कोई व्यक्ति बिना ज़मीन को देखे हुए, बिना खाद दिए हुए उसके पत्थर और मिट्टी को परखे बिना यदि कोई ज़मीन में बीज डाल दें और उसके बाद पानी दिए बिना उसको छोड़कर आ जाए, तो जो उस पौधे की स्थिति होती है, वह इस विधेयक की स्थिति हुई। इस विधेयक को जब लागू किया गया तो उसके जितने भी प्राक्कथन थे उनमें यह बात कही गई थी कि यह विधेयक आएगा और उसके बाद भूमि का विकेंद्रीकरण रुक जाएगा, यह कहा गया कि शहरी भूमि का समान रूप से वितरण हो जाएगा, उसमें यह कहा गया है कि विलासितापूर्ण जो आवास होंगे उनके ऊपर प्रतिबंध लगेगा और उसमें यह भी कहा गया कि हम व्यवस्थित रूप से शहरीकरण कर सकेंगे, परन्तु बड़े खेद की बात है कि 1976 से लेकर 1999 तक लगभग ढाई दशक के आसपास का समय व्यतीत हो जाने के बाद भी इनमें से एक भी उद्देश्य की पूर्ति इसके अंदर नहीं हुई और न केन्द्र सरकार ने और न

ही किसी राज्य सरकार ने इसकी विफलता किस चरण से हैं, यह हमारी धरती को क्यों नहीं सुहाता है, हमारे शहरी क्षेत्र के अंदर यह अधिनियम लागू क्यों नहीं हो सका, इस अधिनियम में क्या कमियां हैं, यह व्यापक रूप से बनना चाहिए या नहीं बनाना चाहिए, इसके बारे में विचार ही नहीं किया किसी भी स्तर के ऊपर और इसलिए इसकी अपनी मौत हुई, यूं कहिए और आज एक विधेयक के द्वारा यह समाप्त होने के नाते अंतिम चरण में आया है।

महोदय, मैं आपसे यह निवेदन करना चाहता हूं कि किसी भी सरकार का काम मकान बनाने का नहीं है, बिजनेस करने का भी नहीं है। सरकार का काम ट्रैफिक प्वाइंट की तरह है। ट्रैफिक के प्वाइंट पर इधर का वाहन अपने तरीके से निकल जाए, सामने वाला उससे भिड़ न जाए, दाएं वाला दाएं निकल जाए और जिसको जाना हो उसको पीली बत्ती सावधान करने के लिए बात दे, यह सरकार का काम है। सरकार का काम इतना है। किसी वैलफेयर स्टेट के नाते जब हम लिब्रलाइजेशन की बात करते हैं, उदारीकरण की बात करते हैं तो उसमें यह न सोचा जाए कि बहुत बड़ी हाउसिंग एक्टिविटी हम चलाएंगे हम नहीं चलाएंगे और मेरा ख्याल है कि जब नेशनल ऐजेंडे की बात कही गई और माननीय जेटलमानी जी यह कहते हैं कि 20 लाख मकान हम बनाएंगे तो इसका मतलब कहीं यह नहीं है कि सरकार अपने रूप से 20 लाख मकान बनाकर लोगों को आंबटित करेगी, बल्कि आपका यह कहना है कि इस अधिनियम के समाप्त हो जाने के बाद इतनी जमीन उपलब्ध हो जाएगी जिसमें कि 20 लाख आवासीय यूनिट बनकर तैयार हो जाएंगे। लोगों को आवासीय यूनिटों के लिए जमीन उपलब्ध हो जाएगी, इसकी मंशा यह हो सकती है।

मैं इस सदन का ध्यान इस ओर आकर्षित करना चाहता हूं कि जब यह अधिनियम बना था तब यह कल्पना की गई थी कि कितनी जमीन कुल उपलब्ध होगी। कुल मिलाकर के जो स्टेटमेंट देना होता था सीलिंग एक्ट के तहत, कुल मिलाकर के 4,06,282 स्टेटमेंट इस देश के अंदर प्रस्तुत किए गए कि हमारे पास सरल्यस सीलिंग लैड हैं। उसमें जो अंदाज लगाया गया जमीन का वह था 2,20,674.86 हैक्टेयर जमीन इसमें से उपलब्ध हो सकेंगी। और जमीन जो आबाद हुई सीलिंग एक्ट के तहत, वह हुई 50,046.14 हैक्टेयर और वास्तव में जो जमीन का कब्जा मिला 22 साल के अंदर, 1976 में यह एक्ट बना और मैं 1998 तक के आंकड़े आपके सामने प्रस्तुत कर रहा हूं, जिसमें 22

साल में केवल मात्र 19,082.22 हैक्टेयर जमीन का सारे देशभर में कब्जा मिला और उसमें जिस जमीन का उपयोग ही नहीं हुआ, यह जमीन है 8,172.37 हैक्टेयर। कुल मिलाकर के हम 22 साल तक हिन्दूस्तान में सैंकड़ों दफ्तर चलाने के बाद, सैंकड़ों अधिकारियों को नियुक्त करने के बाद, इस कानून की क्रियान्वति के लिए ऊपर से नीचे तक के सारे अमल को चलाने के बाद भी मुश्किल से 11,000 हैक्टेयर से ज्यादा हाऊसिंग के अंदर जमीन नहीं ले पाए, तो उस एक्ट को रखकर हम क्या करेंगे। उसमें से क्या परिणाम निकलने वाला है, उसमें से क्या फलीभूति होने वाली है? मैं यह कह सकता हूं कि इन अधिकारियों को जितनी तनखाह दी गई, इसमें से कम से कम भी 5000 गुणा ज्यादा जमीन मार्किट रेट पर हम खरीद सकते थे, यदि कहीं गरीब के मकान बनाने की मंशा किसी की होती। परन्तु मेरा निवेदन है कि इस कानून के बनाने के पीछे आपातकाल में कुछ मका कराने की मंशा किसी के दिमाग में आई होगी - ज्यादा जमीन है इसको ले लो, ज्यादा है इसको छोड़ दो, बड़ा मकान है उसको छोड़ दो। यह कुल मिलाकर ऐसा कानून था कि हिन्दूस्तान की धरती पर व्यावहारिक रूप से ले ही नहीं सकता था, हमारे स्वभाव के खिलाफ था सारे का सारा और इसमें एक काम और हुआ। भ्रष्टाचार को बढ़ावा कैसे मिला, ऑन दि रिकार्ड है? भ्रष्टाचार को बढ़ावा मिलने का एक तरीका ढूंढा गया। उस एक्ट में एक प्रावधान किया गया सैक्शन 20 में कि इस जमीन को यदि चाहें तो उचित कारण होने पर मुक्त कर सकते हैं।

तो जमीन का कब्जा हुआ 11,000 हैक्टेयर का और हमने 50,084 हैक्टेयर जमीन मुक्त कर दी 22 साल के अंदर। यह इस एक्ट का परिणाम निकला और उसके अंदर कितने न्यारे-वारे हुए होंगे। कुल मिलाकर हमारे पास 1,2,151 ऐप्लीकेशंस आई ऐक्जैम्प्शन के लिए और कुल मिलाकर 52,508.54 हैक्टेयर जमीन उसमें से ऐक्जैम्प्ट कर दी गई। यह इस एक्ट की परिणति है। अब प्रश्न यह है कि कुल मिलाकर स्कीमें कितनी बनी? कहते हैं कि जब एक्ट बनेगा, जमीन आएगी, आवासी स्कीमें बनेगी, गरीबों को मकान मुहैया कराए जाएंगे। कुल मिलाकर 5 स्कीमें बनी इन 22 सालों के अंदर और उसमें टोटल डिकलेयरेशन था 13,651 का, इन स्कीमों के अंदर 9,633 कवर हुए और 2,984 की स्कीमें एप्रूव हुई। कुल मिलाकर 5,327 हैक्टेयर जमीन के ऊपर स्कीमें बन सकी इन 22 सालों के अंदर। इस एक्ट की परिणति 22 साल के बाद यह रही।

अब यह देखें कि राज्यों में क्या स्थिति रही। जैसा कि अभी माननीय मंत्री जी ने कहा कि पूरी दिल्ली के अंदर 22 साल के अंदर 1.99 हैक्टेयर ज़मीन सरकार को मिल सकी। बिहार में, जहां बहुत प्रोग्रेसिव बात कही गई, वहां पर कुल मिलकर 19.16 हैक्टेयर ज़मीन प्राप्त हुई। पश्चिम बंगाल, जहां से विरोध शुरू हो रहा है, वहां 22 साल के अंदर 70.36 हैक्टेयर ज़मीन प्राप्त हुई। पंजाब में 72.69 हैक्टेयर ज़मीन प्राप्त हुई और उड़ीसा में 49.08 हैक्टेयर ज़मीन प्राप्त हुई। यह 22 सालों के अंदर ज़मीन प्राप्त होने की स्थिति है।

उपसभाध्यक्ष महोदय, इस संबंध में मुख्यमंत्रियों का सम्मेलन हुआ। मुख्यमंत्रियों के सम्मेलन में आंध्र प्रदेश ने कहा कि हमको अपना अधिकार दीजिए, हम अपना कानून बनाएंगे। राजस्थान ने कहा कि भूमि राज्य का विषय है, हमको हमारा कानून बनाने दीजिए। उत्तर प्रदेश ने कहा कि हमारी विशेष परिस्थितियां हैं, हमको अपना कानून बनाने दीजिए। पश्चिम बंगाल ने कहा कि यह हमारा अधिकार है, हमको कानून बनाने दीजिए और उस समिति में पश्चिम बंगाल के सारे सदस्य इस बात पर सहमत थे कि यह ऐक्ट रिपील होना चाहिए लेकिन आज इसका विरोध हो रहा है, इसका कारण यह है कि, यह मेरी समझ में नहीं आ रहा है।

महोदय, मैं इस बारे में कुछ सुझाव देना चाहता हूं। महोदय, निश्चित रूप से गरीबों के लिए मकान बनाने की बात इसमें कही गई है। मेरा निवेदन यह है कि भारत सरकार को निश्चित रूप से सुव्यवस्थित शहरीकरण करने के लिए एक नीति बनाकर एक सेंट्रल ऐक्ट लाना चाहिए। मेरा दूसरा निवेदन यह है कि अर्बन लैंड सीलिंग ऐक्ट के कारण ऐक्विजिशन ऐक्ट में बहुत बड़ी परेशानी हो रही है। ज़मीन को प्राप्त करने में परेशानी होती थी। इसलिए ऐक्विजिशन ऐक्ट के अंदर कुछ संशोधन करके उसका सरलीकरण करना चाहिए और उस लंबे प्रोसेस का कम करने का काम करना चाहिए।

महोदय, आखिर मैं एक बात यह कहना चाहता हूं कि जिन लोगों ने सर्वे किया है, उनका कहना है कि 2011 तक ऐसी स्थिति होगी इस दिल्ली की कि 68 परसेंट आदमियों को पानी नहीं मिलेगा। यह जो रिंग रोड हैं, उसमें 5 किलोमीटर प्रति घंटे से ज्यादा रफ़्तार से वाहन नहीं चल सकेंगे और 73 परसेंट लोगों का कूड़ा उठाने की स्थिति नहीं होगी। यह जो अव्यवस्थित शहरीकरण हो रहा है, इसका रोकना नितांत आवश्यक है और इसको रोकने के लिए आवश्यक है कि सेंट्रल गवर्नमेंट देखें कि 29 करोड़ से ज्यादा लोग इस शहर में

रहने लग जाएंगे तो उनका क्या हश्र होगा। महोदय, विश्व में कहीं ऐसा रिकार्ड नहीं है, हमारा शहर विश्व में नंबर एक पर है। हमारे यहां 4 शहर तो ऐसे हैं जिनकी आबादी 60 लाख से अधिक हो गई है और बाकी देश के अंदर 30 शहर ऐसे हैं जिनमें 10 लाख से ज्यादा आबादी हो गई है। इसलिए आप जब इस ऐक्ट को समाप्त कर रहें हैं तो हमको सुव्यवस्थित शहरीकरण के लिए कोई न कोई योजना बनानी चाहिए।

महोदय, जो बिजली देता है, उसके रहने के लिए मकान नहीं है। जो पानी दिलाता है, उसके लिए मकान नहीं है। जो सफाई करता है, उसके लिए मकान नहीं है और जो हमारे मकान का कंस्ट्रक्शन करता है, उसके रहने के लिए मकान नहीं है। इसलिए गरीब आदमी के लिए छोटे मकान उपलब्ध हो, सुव्यवस्थित हों, पर्यावरणयुक्त हो, इस वास्ते गणेश-गावड़ी जैसी कोई योजना बनाने पर विचार करना चाहिए। जब यह सारा विचार हो रहा है तो मैं यह मानकर चलता हूं कि एक कल्याणकारी सरकार होने के नाते हम निश्चित रूप से उस लक्ष्य को प्राप्त कर सकेंगे। इसलिए इस विधेयक को जो रिपील करने की बात कही गई है, मैं उसका समर्थन करता हूं। धन्यवाद।

SHRI SANTOSH BAGRODIA (Rajasthan)
: Mr. Vice-Chairman, Sir, I rise to support the Urban Land (Ceiling and Regulation) Repeal Bill, 1999. When this bill was introduced, obviously, the reasons were very laudable. The intentions were very good. But, unfortunately, as my friend—who has spoken just before me and who has given all the figures said, we could not achieve what we really wanted to achieve. Corruption has increased. He himself has given the figures that actually the utility of the land was much less for the poor people or for the Government. But the release of the land was five times or six times of that. I am not going into those details and figures right now. The fact remains that the purpose of this Act was not fully achieved due to the reason that three different Governments were there in 1995, 1996 and now in 1999. In fact, these Governments were headed by a group of parties which included all the parties in the country, representing all the parties in the country. In their wisdom all of them thought that this Act should be repealed. I must congratulate

the hon. Minister that finally, he could bring forth this Bill in this House for repealing the Act, because this was long overdue. What has happened? A lot of land was actually stuck up with the Government or was involved in litigation. What is the price of land in Mumbai? What is the price of land in Delhi? The price of land has sky-rocketed. This is the basic economic principle. A student of simple practical economics knows that if a commodity is in short supply, the price of that commodity is bound to go up. What has happened in Mumbai? The price of land went up very high. It was the highest in the world. That was on record. The price of land in Mumbai was the highest, when compared to Tokyo, New York, Chicago and Manhattan. Why did this happen? It happened because the quantity of land available for construction was reduced. It was in litigation. If you buy any flat, out of those litigated property, it was not a clear property for the buyers. In the process, courts in the country are inundated with land-related cases. Lakhs and lakhs of cases are lying with courts. These cases are yet to be decided. I am sure, through this Bill, thousands, if not lakhs, of cases will be automatically settled so that the judiciary can go into more serious problems than getting into land-related cases.

One of my friends mentioned about the middle class land owners. He said that this Bill would help them. I want to say that this Bill would really help every land-owner, middle-class land-owner, high class land-owner, poor class landowner, because, so far it was not helping them at all. They were not able to sell it. They were not able to use it. Now they can sell it and use it. What has happened in the last 26 years? The population has increased. We are in a joint family. The land was in the name of a particular person in the name of the father. He had six sons. After all the land was stuck up with the Government. They cannot use it. Apart from six sons, he has 20 grandsons. Today that land is the joint property of those six sons, 20 grandsons

and the father. They are fighting with each other. Unnecessarily this problem has been created for the children. They do not know how to divide this land. They do not know how to use this land. They do not know how to share this land. Today, finally, we have come to a situation where this land can be properly divided among individuals and it can be used for the convenience and welfare of every individual who has owned it as a hereditary property.

I do not want to go into too many details because I am personally in favour of this particular legislation, the Urban Land (Ceiling and Regulation) Repeal Bill, 1999.

Sir, my predecessor has mentioned that there are four lakh applications out of which only two lakh sixty thousand cases have been decided.

Sir, the last point which I would like to make is that this dream of having 20 lakh houses can be achieved. I feel it can be achieved. Where there is a desire, there will be a way, whether the Government does it or the people do it. But one rule if he can make, I would like to tell the hon. Minister, through you, Sir. If a big building is made, if the builder has to make one lakh square feet for the rich, he must make two lakh square feet for the middle income group and four lakh square feet for the poor people. What is happening today? In Delhi or in Bombay or for that matter, part of Calcutta or Madras, in these places, people come from outside. They come as builders' workers for the building contractors, they come as plumbers, electricians. The building construction takes nowadays three years or four years or even five years. They settle down here. Every large building in Bombay has got a slum next to it. Why? Because no care has been taken either by the Government or by the builders to find out any place, any housing, for them. If this system can be introduced in the country, I find no reason why more houses cannot be built for the poorer people who are as much

citizens of the country as anybody else, whether rich or middle-income group people.

With these words, Sir, I thank you for giving me this opportunity. Thank you.

SHRI A. VIJAY RAGHAVAN (Kerala): I thank you, Mr. Vice-Chairman, for giving me this opportunity. While participating in this discussion, at the outset, I would like to support the views expressed by hon. Shri Chavan regarding the urgency of the Ordinance which was promulgated in the inter-session period. The Minister has said that the reason for the Ordinance was that there was a gap between two Sessions, the Winter Session and another Session. The reason for an Ordinance is the gap between two Sessions! I cannot support that view, Sir. It was mainly because of the compulsions by the speculators and the builders.

'Secondly, Sir, here, we are repealing an Act of land ceiling. While discussing such a thing, I am also supporting the view of the hon. Minister that this Act was a failure. As far as land reform Acts of this country are concerned, most of them are failures. If you think about the land reform Acts passed by different State Legislatures, have they been implemented properly? What is the reason for the failure of these Acts? Was there a will to implement the Acts properly? That question is to be addressed. It is a fact that even though it was a revolutionary Bill, there was no will to implement the Act properly. If there is a will, then it can be done. Regarding the land reform Acts which have been passed by the Governments of Kerala, West Bengal and Tripura, they have been a success. Through those land reforms, lakhs of acres of land had been distributed to the landless poor.

This Act was misused by the bureaucrats. For lack of will power, it was not implemented properly. I do not want to go into the details. Some of my friends have explained here what happened to the Act when it was implemented. While

we are discussing such a Bill relating to the urban areas of our country, today morning itself, we started the House after expressing our grief over the major incident of fire which has taken place in the capital city of Delhi on 14th March, 1999 and which has resulted in a huge loss of lives and property. Sir, the urban areas of our country are different from the urban areas of the progressive nations. In our country, the urban population is increasing. Is it because of the industrial growth? The growth rate of urbanisation in India is higher than the global average of 2.53 per cent. 2.53 per cent is the global average. The growth rate in our country during 1990—95 was 3.09 per cent. Actually this is creating a problem. We have the problem of civic amenities. The civic amenities are nearing a breakdown. But we have to think about the reasons. Rural poverty and insecurity is forcing the rural people to migrate to cities is not taking place due to industrialisation. This is totally unrelated to the productive level of the system. There is no direct link between industrial employment and urbanisation in our country. Because of the rural poverty, did they take some drastic steps to introduce the land reforms in this country? Still, we have landlordism in the country. We have no employment opportunities in the rural areas. What is the rate of migration of the agricultural workers to the cities? Nearly, 20 million agricultural workers are migrating to the cities in this country. Why? They are not getting employment in the rural areas. That is the main question. Mr. Minister, you are addressing yourself to one part of the question, that is urban ceiling repeal. You think that after repealing the old Act, it will become a panacea for the problems faced by the downtrodden people. We are not addressing ourselves to the real question, behind this issue. While we are discussing this question, we have to give utmost importance to the most poorer sections in our urban areas. What is the condition in the urban areas? How will this Act help the most downtrodden section in the

cities? What is the real situation? There are nearly 50 million urban slum dwellers in our country. The Minister is talking about two million houses. What is the population? It is fifty million. It was reported in one of the newspapers in Bombay that the slum dwellers and the homeless people account for fifty per cent of the total population in Bombay. Our hon. Minister is from Bombay. When he goes to the international airport, he finds people sleeping on both sides of the road. Hundreds of people are sleeping on the road side in Bombay. Fifty per cent of this population occupy only six per cent of the land area in the city. How will they be helped by this Act? Their occupancy is only six per cent of the total area and their population is nearly half of the total population in a city like Bombay. What is the situation in Delhi?

According to the last Census, in Delhi, we have a population of 35,000 living in 1,000 slums.

THE VICE-CHAIRMAN (SHRI T.N. CHATURVEDI): You have to wind up. Your time was already over.

SHRI A. VIJAYA RAGHAVAN: Sir, this is a very important issue. I am talking about providing houses to the slum-dwellers. You are reminding me of the time. We are talking about the problems of the slum people. In one square kilometre 60,000 human beings are living. What is going on in this country? What are the civic amenities provided to them? Is there drinking water for them? Are there any educational facilities for them? The water-supply is insufficient. They are using contaminated water. There are no health care facilities, no educational facilities. Are we discussing anything about these people? This is a very serious issue.

SHRI B.P. SINGHAL (Uttar Pradesh): That is a totally different subject.

SHRI A. VIJAYA RAGHAVAN: It is not at all different (Interruptions)... We are discussing the Urban Land (Ceil-

ing and Regulation) Repeal Bill, 1999. I am talking about the landless people.

THE VICE-CHAIRMAN (SHRI T.N. CHATURVEDI): He is, in his own way, defining the problem. The Minister will consider all these things.

SHRI A. VIJAYA RAGHAVAN: It is a very serious issue.

THE VICE-CHAIRMAN (SHRI T.N. CHATURVEDI): Your time is up. So, please wind up.

SHRI A. VIJAYA RAGHAVAN: I know that. With due respect, Sir, I am saying that this is a problem concerning the poorest of the poor in our country. When we are repealing the Act(Interruptions)....

THE VICE-CHAIRMAN (SHRI T.N. CHATURVEDI): You have identified an important problem.

SHRI A. VIJAYA RAGHAVAN: When you are repealing the Act, should I not say anything about their problems? They are facing the drinking water problem. I just want to mention that because the Minister has told us that he is giving two million houses.

SHRI RAM JETHMALANI: Please confine. I am listening to you very carefully.

SHRI A. VIJAYA RAGHAVAN: Sir, I tell you why we are discussing all these problems. We have to address ourselves to the problems of the most down-trodden section in our society. They are living in slums. They don't have education. It has been repeatedly reported in the press that fires taken place in slums in Delhi. Without thinking seriously about the slum-dwellers, we are going to repeal the Urban Land (Ceiling and Regulation) Act. I am opposing it because, here, we are not at all showing that much concern for this down-trodden section of the society; and we have failed to help them. You are passing this Bill only because of the request received from the two States. We are now passing such a legislation. But what about the agricultural workers

who constitute 10 million. Six States requested the Centre to pass a legislation for the agricultural workers. The Government at the Centre were not ready to pass a legislation for the agricultural workers.

But, here, only two small States have requested, and they are going to pass the Bill. It shows their bias. This is the bias, that is what I want to point out here. Here, there is a bias shown towards the rich people. Here, we are repealing the Act only to help the builders and the speculators. I can say this without any doubt that.

It is only to help the rich sections of the society; whatever the hon. Minister mentioned was just the voice of FICCI and the rich builders from abroad. My request is to do something for the poorest of the poor and those who are living in the slums of the country.

SHRI N. THALAVAI SUNDARAM (Tamil Nadu): Sir, I thank you for giving me an opportunity to speak on the Urban Land (Ceiling and Regulation) Repeal Bill, 1999. As far as this Bill is concerned, we welcome it. This Bill is very helpful to the poorer and weaker sections of the society. My learned friend, Mr. Vijaya Raghavan, was asking as to how this Bill would help the poor people. I would like to have a clarification from the Minister. Last week, a statement was made by the West Bengal Minister. My friend, Mr. Vijaya Raghavan, has mentioned that in West Bengal, Kerala and some other States, they are helping the poor people. This is a State subject. More than 25 years ago, a large area of land was encroached upon by your State Government. As far as Calcutta is concerned, before this Bill came before the House, the West Bengal Minister has made a statement that they have given any land to anybody.

The other point is; there was a compensation to be paid. Till date, they have not paid any compensation to the poor people. The third point is that they have taken paper possession. As far as

the West Bengal Government is concerned, they have taken paper possession only. They are not giving a single paise to anybody. Every day they are fighting for the labour and for the poor people. I would like to know from Dr. Biplab Dasgupta (*Interruptions*).... I would like to know this from Dr. Biplab Dasgupta. Everyday you are fighting for the poor people; I appreciate it. But as far as your State is concerned, last week, your Minister made a statement before the Press that we are not giving a single paise to anybody (*Interruptions*).

THE VICE-CHAIRMAN (SHRI T.N. CHATURVEDI): Your time is two minutes. (*Interruptions*). We would like you to move to Tamil Nadu. (*Interruptions*).

SHRI N. THALAVAI SUNDARAM: As far as West Bengal is concerned, how many land cases are pending? I would like to know whether there is any provision for compensation to be given by the West Bengal Government or not. If it is not so, then what are the reasons for it? Why compensation is not being given to the people of West Bengal? We are seeking help for the poor people of West Bengal.

I am not going to the other States, but as far as my State, Tamil Nadu, is concerned, for more than 25 years, the same problem is there.

In my State there is a particular area in velachery. This land was allotted to some political party which is close to the ruling party. I am not mentioning the name of the person or the party. Mr. Virumbi must be knowing which is the party, and who is the person who took the land from the Government of Tamil Nadu within two months. (*Interruptions*).

THE VICE-CHAIRMAN (SHRI T.N. CHATURVEDI): Please address the Chair. (*Interruptions*). Your time is almost over.

SHRI N. THALAVAI SUNDARAM: This Bill has been very helpful to the

middle class/people and to the weaker sections. But I would like to have only one clarification from the Minister. I would like to know whether any cases are pending before the court. And I would also like to know whether any compensation has been paid or not. If they don't get any compensation, then what action will be taken by this Government? That's all.

SHRI C. P. THIRUNAVUKKARASU (Pondicherry): Sir, I welcome the urban Land (Ceiling and Regulation) Repeal Bill, 1999. We have always been doing good things. The Urban Land Ceiling Regulation Act should be repealed. In the year 1994, the Supreme Court held that the provision of the Act, as has been drafted so far, has not succeeded in translating into words the clear intention of the legislation. To that extent, it is an inelegant and confusing piece of draft. This causes a great hardship to the court as well as to the public. So, on the basis of the main observations made by the Court, this Act should be repealed. Originally, it was thought that this Act is applicable to houses also. Subsequently, in the year 1979, the Supreme Court held that the provisions of the Act were not applicable to buildings. So, one provision was taken away. There was confusion between the Legislature and the Executive. What is meant by 'vacant land' and what is meant by 'agricultural land'? A lot of dispute arose.

Ultimately, the Supreme Court, while defining the agricultural land, said that most of the land could not be taken into consideration. The date of notification of the Act alone has to be taken into consideration. Because of that, a lot of land was again given to the landlords. I would like to make only one submission that the evaluation of the property and the compensation filed by the Government is very low. They are not taking into account the loans or the mortgage loans that the land-owners had taken. They are fixing a certain amount and

there ends the matter. The Supreme Court has also pointed out in a judgement of 1994 that it should also be taken into consideration. There are a lot of disputes pending before the authorised officer, before the High Courts and before the Supreme Court. The poor people are suffering a lot. They are not able to get the land from the year 1976 till today. I think the law should be framed in such a way that there would be a remedy for the poor people. Above all, the powers should be delegated to the State Government and it should be made competent to make legislation in order to give the land to the poor people. This point must also be taken note of by the Minister.

SHRI N.R. DASARI (Andhra Pradesh): Mr. Vice-Chairman, Sir, at the outset I would like to submit that this Urban Land (Ceiling and Regulation) Act, 1976 came into existence with a very laudable objective in the wake of the Agricultural Land Ceiling Act. In the seventies there was some difficulty in getting lands throughout the country, both in rural areas and urban areas, not only for cultivation but also for small hutments, etc. It was in this background that the then Government had made this laudable Act and it came into existence. Now taking advantage of certain shortcomings in the Act, as has been explained by my preceding speakers, the hon. Minister for Urban Affairs and Employment has come forward to nullify or repeal the Act. I don't understand it. Of course, I know that the major parties hold a common opinion. They may try to bulldoze it. This is going to be a very bad precedent in the history of Our Statute book. You try to rectify the shortcomings. You rectify the shortcomings as pointed out by the Supreme Court. It has been explained by my preceding speaker, Mr. Thirunavukkarasu.

Sir, the House has not been properly informed by the hon. Minister. In The Standing Committee on Urban Affairs and Employment I have given a dissenting note. I would like to bring to your

notice that dissenting, note. There are four of five lines.

THE VICE-CHAIRMAN (SHRI T. N. CHATURVEDI): You have only three minutes. Two minutes are over.

SHRI N. R. DASARI: That is all right. I quote:

"We agree with the formulations of the Standing Committee Report but do not agree with the conclusion of the Committee that the Urban Land Ceiling Act of 1976 be repealed. We think that a serious attempt should have been made by the Government to amend the principal Act in consonance with the original laudable stated objectives."

That is not done. What is done is to repeal the original Act, the crux of the objects of the original Act. The crux of the original Act is that there should be no urban land concentration in the hands of a few monopolies or industrial houses or neo-rich class or NRIs. That is the main issue. What is the crux of the objects of the proposed Bill? It is to give benefits to the urban land monopolies, the builders, the neo-rich class, the NRIs and the speculators, ultimately leading to the concentration of urban land in a few hands.

This is what is made explicit in Shri Jethmalani's letter which I would like to bring to the notice of the House. Even before the Standing Committee tried to discuss it objectively, he has not given scope for it. On July 17, in his very first letter to the Standing Committee, I am now quoting it. "I am sorry to introduce a note of seriousness with your first meeting. The Government is committed to repealing the Urban Land Ceiling Act. This is not a new or a novel move of the present Government. The previous Government also had decided to do the same thing in November, 1997, but could not carry out its decision. The proposed repeal has been widely acclaimed as a measure which will bring down the land prices and help the poor to acquire ac-

commodation at affordable prices. Even before the Act has been actually repealed, the prices, of land have started falling." It is not a fat? This is a statement coming from a responsible hon. Minister who is proposing this Bill. There is no such evidence. Besides this, this law deals with an exclusively State subject. Parliament could pass this Act only because two or more states wanted it. Now, two or more states have requested for its repeal. We are politically, constitutionally and morally bound to repeal it. Those states which want to continue with the existing act are free not to adopt the repeal. That is how he made his first approach in the Standing Committee.

THE VICE-CHAIRMAN (SHRI T. N. CHATURVEDI): This has already been said by the Minister.

SHRI N. R. DESARI: Sir, I will take just two minutes. The Standing Committee, falling in line with the Minister's approach could not make an objective statement; did not study properly. It never cared to go to big cities like Mumbai, Hyderabad, Chennai, Calcutta or Bangalore like that to study the problem in depth and also to assess realistically. It simply followed what the Minister wanted the Standing Committee to do and hence the Minister or the Government has been trying to bulldoze it and it has given no importance to the opinion of the State Government also. There is no such effort, but anyway now before I conclude, I must bring to the notice of this House a para containing the Statement tabled by the hon. Minister and the Ministry of Urban Development: "The core group on economic matters which was constituted after economic sanctions were imposed on the country has identified the measures to be taken to accelerate the growth in various sectors. It has recommended repeal of the Urban Land Ceiling and Regulation Act 1976, as one of the measures. The repeal of this Act is likely to boost investment in the housing sector which would in turn have a posi-

tive impact on core sectors like cement, steel etc."

THE VICE-CHAIRMAN (SHRI T.N. CHATURVEDI): Thank you Mr. Dasari, you have made your point.

SHRI N.R. DASARI: Only for this purpose, they are repealing this Act. Therefore, I oppose this Bill.

SHRI JOHN F. FERNANDES: Mr. Vice-Chairman, Sir, this Bill seeks to repeal the principal Act which was brought in before Parliament in 1976. We have to see what was the purpose of bringing this Act into force in 1976. We know that there was a programme under 20-Point programme which was launched by late Smt. Indira Gandhi. Housing was given top priority under that programme. It was a social programme to uplift the social backwardness of people in general more so, in the urban areas where we have slums. And as I mentioned, no programme can be made a success if it does not have people's participation, because this is peoples' programme and you cannot rely totally on the bureaucrats. We are not opposed to repealing this principal Act. What I want to say here is, everytime whenever they repeal anything, this Government likes to take credit for that. And you have mentioned in your National Agenda for Governance that you want to implement this by repealing the Act. If I refer to your National Agenda for Governance, para 15 says, ...

THE VICE-CHAIRMAN (SHRI T.N. CHATURVEDI): He has already given credit to so many Governments. He has said it:

SHRI JOHN F. FERNANDES: But I am referring to the relevant provision... SHRI RAM JETHMALANI: I am executing your decision.

SHRI JOHN F. FERNANDES: I don't deny it. But you have mentioned in the Statement of Objects and Reasons at para 4 that you want to implement the National Agenda for Governance.. Your National Agenda for Governance a! para 15 says: "Housing for all. Shelter is a

basic human requirement that needs to be met on a priority basis. We are committed to evolving a national housing and habitat policy." I do not know whether you have done that. By 19th of this month, you are going to complete 365 days ...*(Interruptions)*... I am coining to it. It further says: "...that in consultation with the State Governments, aimed at providing housing for all. Towards this end, we shall facilitate construction of 20 lakh additional houses annually. We are only talking of the urban land which has been put on an embargo under the statute." I do not know whether the hon. Minister, when he replies, would reply to this question. Out of 20 lakh houses, how many houses have been constructed so far, as by 19th of this month, you are going to complete one year.? What about the urban areas? I think the urban area is the minimum area covered by this country. Again, the hon. Minister has mentioned that the requirement under article 252(2) of the Constitution is that two States have to pass a resolution And the irony is that Punjab and Haryana which have passed a resolution, have a common capital of Chandigarh, and where this problem is not pronounced. This problem is more pronounced in metropolitan cities, say, Delhi, Mumbai, Chennai, Calcutta, Bangalore and other places. So, this is what I was saying that our Constitution can be misled and misused to suit certain people. I have no objection to the decision of those two States. What I am saying is (hat they have a common capital of Chandigarh, which, again is a Union Territory, and this problem is *not* pronounced there. I do not know whether they have faced a major problem as for as the Urban Land Ceiling Act is concerned. We have also forgotten to mention the pronouncement of the hon. Supreme Court of India. If I am not mistaken, in 1996, the hon. Supreme Court had mentioned that any green land in the urban area can be converted and still it will not be covered mdL; !:!:> A.» And this Act was misused in my State of Goa We saw that green-land, fertile to

in the villages, was converted and brought under the urban areas. And this green land was sought to be cornered by a few industrial houses because they thought that Goa was going to be a dutyfree port. They were all sharks jumping to have their pound of flesh. The hon. Minister has not mentioned whether he will again see to it that the green land in the urban areas will not be touched—they should not be allowed to be touched by these real estate sharks—and he should tell us whether any protection will be taken by the Government to see to it that green lands will be protected, because there is a pronouncement of the hon. Supreme Court that in urban areas, green land may not be reserved under the statute. There is a demand, and this is a very heavy demand, as rightly mentioned by my colleague, because the price in Bombay is as high as the price in Manhattan in New York. This means that the green areas in cities can be destroyed if safeguards are not taken to repeal the judgement of the hon. Supreme Court ...*(Interruptions)*... You amend the Constitution; it is quite on legal terms. But safeguards are not taken by Parliament and the Government. This is what I meant. Sir, I have nothing much to say on this....

THE VICE-CHAIRMAN (SHRI T.N. CHATURVEDI): You have made your points effectively.

SHRI JOHN. F. FERNANDES: Thank you, Mr. Vice-Chairman, Sir. Then, the Government has mentioned in the Statement of Objects and Reasons that there will be a level-playing field for the private sector and the public sector. Now, I want to know from the hon. Minister now, in urban areas, you cannot give housing to the poor people because that will be very, very exorbitant for any housing agency—whether they will resort to the Land Acquisition Act to acquire land in these areas. Otherwise, it will just not be possible for any Government agency—you have mentioned public sector agencies—to have any construction activities in urban areas.

8.00 P:M.

We will not be able to compete with the private sector. I don't think there will be a level-playing field. Therefore, the interests of the poorest of the poor have to be protected. It is basically the poor who have encroached on the Government land, whether it is the Railway land or the land belonging to the Airport Authority and so on. The only land that is protected here is the cantonment land. So, I would like to know whether this land also will be put to use by the Government for meeting its social obligation of providing housing to poor people. With this submission, I hope the hon. Minister will clarify the points raised by me.

DR. D. MASTHAN (Tamil Nadu): Sir, probably I am the last speaker on this Bill. I am happy that I have the last say on this subject.

Sir, I rise in support of the Urban Land (Ceiling and Regulation) Repeal Bill, 1999. There is no doubt that the original Act, the Urban Land (Ceiling and Regulation) Act, 1976, was enacted with laudable objectives, namely (i) to prevent the concentration of urban land in the hands of very few persons, (ii) to bring about socialisation of urban land, (iii) to discourage construction of luxury housing, which will obviously lead to conspicuous consumption of scarce building materials and (iv) to ensure orderly urbanisation. But, Sir, as everyone of us is aware, over the past so many years this Act has miserably failed. It was estimated that approximately two lakh and twenty thousand hectares of excess vacant urban land is available. But what has happened over these so many years is that only about nineteen thousand and odd hectares of this vacant urban land could be physically acquired, that is, only about 9% of the total estimated excess vacant urban land. Even out of this 9% of acquired vacant urban land, more than 8,000 hectares of land could still not be effectively put to use. Sir, because of the cumbersome procedures and the short-

comings in the provisions of the 1976 Act, this Act has led only to corruption and unwanted harassment of the public. As can be seen from the records, the idea of amending the original Act of 1976 has been under consideration for quite some time, since 1992. This matter was discussed in a conference of the Chief Ministers in 1992. Subsequently, it was also discussed in a conference of the Chief Secretaries of State Governments. Then, it was placed before the Union Cabinet. In 1998, a meeting of all the political parties was convened to discuss the issue of amending this Act. In 1997, the Union

Cabinet had considered the deliberations of the Chief Ministers' meeting, the recommendations of the National Commission for Urbanisation and the recommendations of the Inter-Governmental Committee. Finally, after considering various amendment proposals, the Union Government, after going into the entire length of proposals and facts, decided to repeal the Act in 1997.

Sir, I personally feel that after the new economic liberalisation policies, it is very much necessary to make the urban land available to the open market so that new developmental activities could take place. There would also be an overall economic development in the core sectors. Sir I believe that because of the incompetent and inadequate Urban Land (Ceiling and Regulation) Act, 1976, the prices of urban properties have gone up exorbitantly. Today the cost of urban properties in cities like Delhi, Chennai and Mumbai is more than the cost of urban properties in cities like New York, London, Tokyo and Hong Kong, whereas the *per-capita* income and individual salaries are not equal.

Sir, I also believe that because of this Act, instead of urbanisation taking place horizontally, it has taken place vertically, and has given rise to a concrete jungle of residential flats which, as most of us would agree, have accounted to only congestion and pollution. Hence, I feel that the Government is right in bringing

in this Urban Land (Ceiling and Regulation) Repeal Bill to ratify the Ordinance promulgated by the hon. President of India. But, at the same time, Sir, politely I would like to draw the attention of the Government towards the attitude of the Opposition which is trying to always keep the Government in tenterhooks. Let me remind the Government that when Shri Vajpayeeji became the Prime Minister a Couple of years ago, he could not continue for more than 13 days. Let me point out humbly, Sir, it is because of the helping hand extended by our great leader, the saviour of minorities, the fighter for the cause of the downtrodden and Dalits, Madam Jayalalitha, it is possible for the Government to continue further. Therefore, Sir, I politely request the Government to understand its friends and supporters who are trying to help this Government. I request the Government to take Madam Jayalalitha into confidence in carrying out their commitment of taking the country forward in the next millennium. With these words, I conclude.

THE VICE-CHAIRMAN (SHRI T.N. CHATURVEDI): Shri Gurudas Das Gupta, are you withdrawing your Resolution?

SHRI GURUDAS DAS GUPTA: Sir, what I am saying is that there are *pundits* in the country...

THE VICE-CHAIRMAN (SHRI T.N. CHATURVEDI): I am sorry, Mr. Das Gupta. First would you like to hear the Minister? Then you can make up your mind. ...*(Interruptions)*... Shri Das Gupta will reply, then the Minister will...

SHRI GURUDAS DAS GUPTA: Sir, that is what I was doing, but you were reversing it. Sir, what I am saying is that there are *pandits* in the country who proclaim as there are parrots to repeat. We have some *pandits* in the country who always said that let the market be liberalised, and then everything will be made available for everyone, and poverty will be eliminated. If that was the state-

ment made by *pandits*, and now we have some parrots to repeat. But I never expected a legal luminary, like my friend to have a fall. What a great fall, Sir! Since the accused who are hauled up on rape are not generally convicted, therefore, repeal the Act concerning the criminal act of rape! Since there is a large volume of evasion of income tax, therefore, we should say the Income tax Act should be repealed! Sir, I never expected the hon. friend of mine shall speak that since there has been a failure on enforcement therefore, there should be abolition of the law. What a great fall of a big man! Anyway, Sir, the point is, there was no political conviction on the part of those who have been ruling the country to enforce this law. The Governments always lacked political conviction. And since the Government lacked political conviction, therefore, land was declared surplus. It was not taken possession of. I am not excluding even the United Front Government from this failure.

Sir, the point is, there have been Land Reforms Acts, but only two per cent of the surplus land has been taken care of and distributed. Therefore, one fine morning the present Government can approach this great House to suggest that the Land Reforms Act may also be repealed. What is the issue, Sir? The issue is, this law has never been implemented; this law has" never been enforced.

Therefore, the provisions of the Act have never been executed. What we need is the greater enforcement; what we need is far more political conviction; what we need is a flawless system *or* a system with much greater elasticity for the implemen-tion of the law. The Government is asking the Parliament to abolish the law itself. What a great fall, Sir,

SHRI M. VENKAIAH NAIDU: Sir, my friend is a very senior Member. I would like to know from him who has to implement this law.

AN HON. MEMBER The State Governments. ...*(Interruptions)*...

SHRI GURUDAS DAS GUPTA: Sir, it is true that the State Governments are responsible for the implementation of this Act. What I say is that the entire political system of the country, irrespective of any State, is responsible for this. Yes! ...*(In-terruptions)*!.. We are living in a capitalist India; we are living in a centralised country; we are living in a country where money bags play a dominant role; and we are living in a country where corruption is on the rise; we are living in a country where builders and promoters have their way. That is an unfortunate system. Since it is so, I never plead that because the law is not being enforced, therefore, it may kindly be abolished. Sir, yesterday we had a fire in Delhi. There is every reason to believe that it was a calculated fire to evict the poor people and take possession of the land so that the business of the builders and promoters has its way. Sir, this is the situation. This is the Government, the present Government led by Atal Bihari Vajpayee, which believes in speculation. There has been a major artificial speculation of the secondary market. I never speak without records. They have taken a number of steps zeroed at artificial stimulation of the secondary market. You have taken this step to bring about artificial speculation in the secondary market. You have taken steps to bring about artificial speculation in the business of gold. Now you are taking steps to bring about an artificial speculation in the business of land because this Government believes that by bringing about speculation in this vital sectors, the economy can be revived without fundamentals being put on the right. Sir, we differ ideologically; we differ politically; we differ because of convictions; we differ because the hard truth and reality of life has taken us to this conclusion that in this country we would like to build paradise for the speculators and give very little to the poor people described as 'have nots. Therefore, I am thoroughly opposed to this Bill. I do not believe in the philosophy of the hon. Minister when he is propounding now. I

believe that the hard fact of life is just the opposite to what the hon. Minister believes to be true. Therefore, I oppose

this Bill and I stick to my Resolution disapproving of the Ordinance.

THE VICE-CHAIRMAN (SHRI T.N. CHATURVEDI): Mr. Minister, you have to convince Mr. Dasgupta. He is a very reasonable man otherwise. ...*(Interruptions)*...

SHRI RAM JETHMALANI: Sir, the constraint of time makes it absolutely necessary that I should summarise my speech in a few words. But, I never dreamt that in this House I shall be accused of having registered a very steep fall of which my friend, Mr. Dasgupta, has accused me of. I do not know from what I have fallen. Obviously, he means that I have fallen from the exalted position which he holds. But, first of all, I never was at that kind of level which my friend occupies. I have never been in agreement with his philosophy. I have never been in agreement with the whole creed which he professes. ...*(Interruptions)*...

SHRI GURUDAS DAS GUPTA: Will the hon. Minister yield for a minute? ...*(Interruptions)*... I only said that as a lawyer he always believes for the indiscriminate application of law. It is not the failure of law that he should plead for the abolition of the law. ...*(Interruptions)*...

SHRI RAM JETHMALANI: He just accused me of 'having fallen'. What is the fall that you say? ...*(Interruptions)*...

SHRI GURUDAS DAS GUPTA: It is a fall from the legal conviction. Total fall from the legal conviction! ...*(Interruptions)*...

SHRI RAM JETHMALANI: Sir, let me put his soul to rest. While I have never believed in communism, but, at least, I have believed in the dream behind communism and a dream for a better world, a dream for a world of equality, a dream where poverty has been abolished.

That is the dream which I accept as valid, and will remain always valid. My friend can take it from me that if it was not in fulfilling of that dream that we are bringing in this legislation, I would not have supported it, I would have opposed it, I would have, surely, not taken upon myself the indignity of initiating it or arguing in its favour. The Objects of the repeal are three-fold. First of all, we wish to provide housing for the poor.' That is the primary objective. But there are two other objectives which are, perhaps of equal importance. All sections of this House have agreed that the economy is in a bad shape. The economy requires to be revived. The revival of the economy requires that you must invest in construction, that people must get themselves involved in construction, and whatever available capital is there—whether with us or with the private sector—must get into, what is called, the Keynesian economics. It is the old Keynesian economics which I stand for, and I believe that the whole economy will revive the moment the construction industry revives, and the construction industry will revive not with money, because the Government has no money. We are 33...

DR. BIPLAB DASGUPTA (West Bengal): Sir, since he has referred to the Keynesian economy, I would like to say that...

THE VICE-CHAIRMAN (SHRI T.N. CHATURVEDI): He is not yielding. Later on you teach him about that.

DR. BIPLAB DASGUPTA: You just listen. You will enjoy that ...*(Interruptions)*...

THE VICE-CHAIRMAN (SHRI T.N. CHATURVEDI) ...all the implications of the Keynesian economics. He is only referring to what has been said.

DR. BIPLAB DASGUPTA: He is a firm believer of Keynesian economics. But, his Government does not accept Keynesian economics. The Government believes in Fremcinn economics. It is completely different.

SHRI RAM JETHMALANI: You are wrong. You are absolutely wrong.

DR. BIPLAB DASGUPTA: Do you believe in Keynes?

SHRI RAM JETHMALANI: You read the Statement of Objects and Reasons of this Bill.

DR. BIPLAB DASGUPTA: But the Government's philosophy is different from Keynes.

SHRI RAM JETHMALANI: You are wrong. The Government has never disowned its responsibility to those who stand in a position of undeserved want. The Government stands for the poor and not for the rich because the rich will think for himself. So, Sir, this is one objective.

The second is revival of economy in general. And, there it does not matter whether you are constructing a house for the poor or constructing a house for the rich or constructing a five-star hotel. Whenever construction starts, there will be employment for labour today, which is not able to find employment; there will be a fillip for the cement industry, to the steel industry and all other industries. And, Sir, I have said this before in the Lower House, and I wish to repeat it that there are 289 industries which are ancillary to the housing industry, and we wish to revive them.

Sir, the third objective, if you ask me, which is equally dear to me and for which my friend Mr. Chavan, provided the most conclusive argument is this. What did he say? He said that this Bill was passed with the object of providing houses for the poor but no house has been provided and the land has been grabbed by the rich. I hope somebody will understand the implication of what Mr. Chavan has told us. How is it that the land which should have rested with the Government, came to be grabbed by the rich unless those who were governing were in conspiracy with the corrupt rich and with a corrupt motive they allowed that land to be grabbed? This is precisely, the truth,

as I said, which has a very uncanny habit of leaking out, and it leaks out even from Mr. Chavan, occasionally.

SHRI JOHN F. FERNANDES: It is a public knowledge. There is no secret.

SHRI GURUDAS DAS GUPTA: Truth never licks the boot. Sir, truth leaks out but truth never licks the boot.

PROF. VIJAY KUMAR MALHOTRA (Delhi): Including West Bengal.

SHRI RAM JETHMALANI: I agree, I except that I am not able to appreciate the relevance, but he is right. This Bill also designed to clean up the sadly immoral atmosphere that

permeates today in this country. We wish to introduce some moral cleanliness in this Government and that is the third objective of this Bill.

A question was asked: "How will you serve the poor by repealing this?" Sir, a very serious problem was raised about the slums and the conditions of the people in the slums. My friend can take it from me that if he knew my work as a Member of Parliament from 1977, he will surely realise and if he reads the Parliament who is Who", my hobby, apart from being a lawyer, as a professional, has been the clearance of slums in the city of Bombay. If you go today to my Constituency and see the slums, you will still see the kind of lavatory which I had built many years ago for the poor people. As I said, you cannot provide them house. It is a shame. But at least, provide them decent places where they can defecate in dignity, and you will see that that is happening. So, Sir, I am concerned with the slums. But today, a slum is also an expensive affair. The slum is controlled by a slum lord or by a group of slum lords. If you go to get a small little hut, you have to pay more than a lakh of rupees in some of these slums. Sir, I intend to provide houses: *pucca* houses with a patch of green, with a lavatory, with a bath room, with a kitchen, for about a lakh, and perhaps, much less. I wish to tell my

hon'ble friends how the private sector has succeeded in doing all this in Bengal. You are very unfair to the achievements of the Government of Bengal, which has ultimately seen sense in having a partnership with the private sector. I have gone and seen what has been achieved by their corporations. I think the West Bengal Building Corporation—I do not know the exact name—and Ambuja Cement of Gujarat, in partnership have constructed houses of which anybody should be proud. Sir, if I were a bachelor, I will go and live in one of those houses. It is available for one lakh twenty thousand rupees. I believe, if the price of land went down, if the cost of construction can be reduced to Rs. 25,00/- a flat; these flats can be available for less than what you pay in the slums. Therefore, what I am trying to do is to make it possible for the poorest people who have to make a payment for getting accommodation in the slums to go and get a *pucca* house. Sir, I do not wish to enter into a longer debate. All that I wish to say is that I am deeply concerned with all the concerns which have been expressed by hon'ble Members. A A. *(In interruptions)*...

SHRI VAYALAR RAVI (Kerala): Sir, if I offer Rs. 25,000/-, will I get a house?

SHRI RAM JETHMALANI: You register with me and I assure you a house.

SHRI GURUDAS DAS GUPTA: Mr. Chairman, Sir, I always knew that he is a dreamer, but I never knew that optimism supersedes reality the way as it is taking place now.

SHRI RAM JETHMALANI: Sir, a word about my 'optimism', and I will not say more. Sir, I knew that we are 33 million units short. We did not, in our manifesto or our common agenda, say that we are going to build 33 million houses in a year. We took on the very modest objective of building two million houses in a year. Out of these two million houses, thirteen lakhs are in the

rural sector and seven lakhs are in the urban sector. Sir, I do not speak for the Minister of Rural Areas and Employment, since my colleague is not here, and I have not really got the figures from him. But my responsibility, as Urban Affairs Minister, is to provide 700,000 houses in the first year, in spite of the difficulties, in spite of the fact that I have no budgetary support, in spite of the fact that I could not repeal this act early enough. The Act was repealed in December last year. Therefore, I have not been able to assemble the conditions in which housing will become possible. Sir, I have already fulfilled the target by distributing it amongst the various States. Sir, with the Hudco finances, Maharashtra has taken 125,000 houses and Karnataka has also taken about 125,000 houses. I have personally gone, seen to the starting of the projects; funds have been sanctioned, funds have been paid; I have given cheques to the State Governments for the amount. Sir, the construction work has started. However, I admit that I have not been able to complete the construction of these two million houses in a year, that is, for reasons beyond my control. I plead guilty to the charge. But be sure that once this Act goes and the private sector gets going at the job of construction, in the next year, instead of two million houses, I will construct four million houses and make up for the deficit in this particular year. This hon'ble House will trust me and my credentials. Sir, with this, I suggest that you please show your goodwill by withdrawing the Resolution and pass this Bill and make it a law...*(Interruptions)*...

SHRI GURUDAS DAS GUPTA: He has a unique credential of inviting unaccounted money. I wish him the best in his adventure. Since the hon. Finance Minister has not been able to do it, let him do this job.

THE VICE-CHAIRMAN (SHRI T.N. CHATURVEDI): Mr. Gurudas Das Gupta, are you withdrawing the Resolution?

SHRI GURUDAS DAS GUPTA: He has always been a friend of law-breakers.

THE VICE-CHAIRMAN (SHRI T.N. CHATURVEDI): Are you withdrawing the Resolution?

SHRI GURUDAS DAS GUPTA: No.

THE VICE-CHAIRMAN (SHRI T.N. CHATURVEDI): Since the Resolution has not been withdrawn, I will first put the Resolution moved by Shri Gurudas Das Gupta to vote. The question is:

"That this House disapproves-of the Urban Land (Ceiling and Regulation) Repeal Ordinance, 1999 (No. 5 of 1999) promulgated by the President on the 11th January, 1999."

The motion was negatived.

THE VICE-CHAIRMAN (SHRI T.N. CHATURVEDI): I shall now put the Bill moved by Shri Ram Jethmalani to vote. The question is:

"That the Bill to repeal the Urban Land (Ceiling and Regulation) Act, 1976 as passed by Lok Sabha, be taken into consideration."

The motion was adopted.

SHRI GURUDAS DAS GUPTA: Sir, you too have become partisan!

THE VICE-CHAIRMAN (SHRI T.N. CHATURVEDI): For the sake of four million houses for the poor.

We shall now take up clause-by-clause consideration.

Clause 2 was added to the Bill.

Clause 3 was added to the Bill.

Clauses 4 and 5 were added to the Bill.

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

SHRI RAM JETHMALANI: Sir, I move: "That the Bill be passed."

The question was proposed.

THE VICE-CHAIRMAN (SHRI T.N. CHATURVEDI): Mr. Vayalar Ravi wants to make a small submission.

SHRI VAYALAR RAVI: Sir, I am provoked because I have been so much amused by the new found love for the poor. My good friend, Shri Jethmalani, has said that four million houses for the poor in the country would be built in the country in a short span of time. With all his eloquence, I am unable to be convinced on two points:

First, the Bill was a hindrance for the housing programme in the urban areas of the country.

Secondly, he argued that the prices would come down. When the builders are trying to compete with each other to corner more land, I have to disagree with his argument that the prices would come down.

This is about urban land ceiling. This is not a land reforms Act. It concerns only urban land.

THE VICE-CHAIRMAN (SHRI T.N. CHATURVEDI): You have made your point.

SHRI VAYALAR RAVI: Yes, I will make only points. I will not make a speech.

THE VICE-CHAIRMAN (SHRI T.N. CHATURVEDI): You go to your second point.

SHRI VAYALAR RAVI: I believe that this can help only the builders. Even though land has been given with a specific understanding in Delhi and its suburban area that 25 per cent is earmarked for the poor people, still, it is lying idle. No building has come up for the poor people. So, in the name of the poor people, you are trying to help the rich to corner the land. The specific question that I am asking from the hon. Minister is, whether this enactment had at any time prevented any kind of housing; and whether by repealing this Act, he can implement this without the States agreeing to it. Suppose the States refuse to agree, what will be the impact of this repeal? You can only satisfy the builders by making them understand that

the Government had helped them and it is now for them to influence the State Governments and do so. So, Sir, I believe, this repeal will serve no purpose, excepting that it will help the interests of the builders and the rich people, who have, with the help of the Supreme Court and other High Courts, might have got demolitions done and might have saved Rs. 10 crores of Rs. 15 crores of deposits, for bails on these two points I want clarifications. I believe, that this repeal would not serve the interests of the poor. So, Sir, I am unable to agree with the hon. Minister while he gets this Bill passed. With these words, -I conclude.

SHRI GURUDAS DAS GUPTA: What is this? You are opposing as well voting for it!

THE VICE-CHAIRMAN (SHRI T.N. CHATURVEDI): His party has supported it. Hon. Minister would you like to make any comment?

SHRI RAM JETHMALANI: Sir, the hon. Member wanted a real response at this point of time.

SHRI VAYALAR RAVI: You don't reply on other points, but you reply whether the repeal of this Act will be of any help.

SHRI RAM JETHMALANI: Sir, I will reply very briefly. The hon. Member, Shri Chavan, has said and the whole House is agreed that this Act had given rise to corruption. There are a class of people who had obtained exemptions under the Act by paying money under the table. That money runs into thousands of crores of rupees. In their hands, the land is very expensive. They are the real persons who are opposed to the repeal of this Act. I am not saying that you are consciously doing this. Unwittingly, you are helping the cause of those corrupt people who have paid money and thrived, after obtaining the land.

SHRI VAYALAR RAVI: Why don't you amend that clause of exemption? Take away that exemption.

SHRI GURUDAS DAS GUPTA: Sir, when it is known that the Income-Tax Act has led to corruption, will he agree for repeal of the Income-tax Act also?

THE VICE-CHAIRMAN (SHRI T.N. CHATURVEDI): On this point, it is the Finance Minister who has to say.

SHRI RAM JETHMALANI: If my friends ask my opinion, I am in favour of repealing the Income-tax Act.

THE VICE-CHAIRMAN (SHRI T.N. CHATURVEDI): Now, the question is:

That the Bill be passed.

The motion was adopted.

THE VICE-CHAIRMAN (SHRI T.N. CHATURVEDI): Now we take up the next item—the Goa Budget and the Goa Appropriation Bills.

Though Mr. Pranab Mukherjee and others in the House had agreed that we would take it up today, this will now be moved and discussion on it will take place tomorrow.

**THE BUDGET (GOA), 1999-2000, THE
GOA APPROPRIATION BILL, 1999
AND
THE GOA APPROPRIATION (VOTE
ON ACCOUNT) BILL, 1999**

THE MINISTER OF FINANCE (SHRI YASHWANT SINHA): Sir, I beg to move:

"That the Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of the State of Goa for the services of the financial year 1998-99, as passed by the Lok Sabha, be taken into consideration."

Sir, this Bill arises out of a sum of Rs. 144.56 crores voted by the Lok Sabha on 10th March, 1999, and Rs. 25.20 crores charged on the Consolidated Fund of the State of Goa. These amounts have been sought to cover the additional requirements in the current financial years. Full details of the provisions are