(Shri H. Hanumanthappa)

laying you. lease sit down. (Interruptions)..., No, no. (Interruptions)...

SHRIS. VIDUTHALAI VIRUMBI: *

THE VICE CHAIRMAN (SHRI H. HANUMANTHAPPA): Your own Member ,was disturbing you. Please sit down. (Interruptions)... I am not allowing you. (Interruptions)...

SHRI S.K. T. RAMACHANDRAN: *

THE VICE-CHAIRMAN (SHRI H. HANUMANTHAPPA): Mr. Ramachandran, please sit down. (Interruptions) ... Nothing is going on record. am not allowing anything to go on record. (Interruptions)... No, no. Please sit down. When I am standing you should sit down. (Interruptions) ... Please sit down. (Interruptions)...

SHRI S. VIDUTHALAI VIRUMBI: *

THE, VICE-CHAIRMAN (SHRI H. HANUMANTHAPPA): Mr., Ganesan, please, sit down. (Interruptions)... Mr. Ramachandran, please sit down. (Interruptions)... No cross-talks. Please sit down. (Interruptions)....

SHRI S, VIDUTHALAI VIRUMBI: *

THE VICE-CHAIRMAN (SHRI H. HANUMANTHAPPA); I am not allowing you. Please sit down. (*Interruptions*)... Nothing is going on record; No. Enough. Please.

We will now take up the Public Premises/,,(Eviction of Unauthorised Occupants), Amendment Bill, 199? Yes, Minister., No cross-talk. Mr. Viruinbi, please sit down. (Interruptions), I have caUed the Minister. (Interruptions). Please sit down. Mr. Virumbj, you, can't disturb the House .like this. Please sit down. You.can't disturb the proceedings of the House, (Interruptions). It is over, Mr., Virumhi, you came and approached the Chair that you wanted

*No recorded.

to say something, I have permitted and you have made your point. But your colleagues are indulging in cross-talks. (Interruptions). Please sit down. Will you please sit down? I have already called the Minister. Mr. Ramachandran, please sit down. Please keep quiet, (Interruptions). Will you listen to the Chair? You are not allowed. What you wanted to go on record, that is recorded, but not this. Please dont disturb the proceedings. Mr. Ramachandran, please sit down Don't force the Chair. (Interruptions). Please sit down.

THE PUBLIC PREMISES (EVICTION OK UNAUTHORISED OCCUPANTS) AMENDMENT BILL, 1992.

THE MINISTER OF URBAN DEVELOPMENT (SHRIMATI SHEILA KAUL): Sir, I beg to move:

"That the Bill further to. amend the Public Premises (Eviction, of Unauthorised Occupants) Act, 1971, be .taken into consideration'

Sir, I rise to move in this August House amendments to the Public Premises Act, 1971for, consideration, and passing.

The Public Premises. (Eviction of Unauthorised Occupants) Act, 1971 was enacted 40-provide for the eviction of unauthorised occupants from public premises including the premises of Government companies and those of corporations established toy Central Acts and organisations specified in the Act.

Various State Governments have approached the- Government > of India for bringing their premises situated within Delhi and other Union Territory limits also within the purview of this Act since they have been? finding-it diffcult, to, evict unauthorised occupants from their premises. The available legal provisions have been found to be very dilatory and lime-

The House then adjorned for lunch *at* thirty minutes past one of the clock.

consuming. It is proposed to accede to these requests and include the premises of State Governments situated in Delhi and other Union Territories within the definition of "Public Premises" by amending Section 2(e; of the Act.

The Government of India have also experienced difficulties in evicting temporary allottees in quest houses, hostels, tourist homes and -various other premises coming under the purview of the Central Government. Union Territories and statutory authorities including hostel accommodation' under the control of the two House Committees in Delhi.

The Government of India, therefore, after carefully examining various aspects, have proposed that summary procedure for eviction of such unauthorised occupants with a shorter notice than the existing one has to be provided to enable the Government to ensure continuous availability of such hostel accommodation and to prevent their, being unauthorisedly converted into longicerm occupancy.'A new Section (Section 3A) has, therefore, been proposed in the Bill to achieve this objective. Enabling amendments consequent to these amendments have also been proposed in Section 2 and Section

I reueqst that the Bill may be passed since the objectives are unexceptionable and the amendments intents provide for better enforcement of the Act.

I now move the Bill for consideration and passing by the House,

The quesion was proposed.

THE VICE-CHAIRMAN (SHRI H. HANUMANTHAPPA). Now the mo-tion moved. We will eontisue dis-cussion on this BiH-after lulleh. -The House is adjourned for lunch till 2.30 p.m.

The House reassembled after lunch at thirty-three minutes past two of the clock, The Vice-Chairman (Shrimati Jayanthi Natarajan) in the Chair.

THE PUBLIC PRESSES. (EVICTION OF UNAUTHORISED OCCIX-PAN1S) AMENDMENT BILL. 1992—Contd.

THE VICE-CHAIRMAN (SHRIMATI JAYANTHI NATARAJAN): We shall now take up the PuM"* Premises (Eviction of Unauthoriesd Occupants) Amendment Bill, 1992.

श्री महेश्वर सिंह: (हिमाचल प्रदेश): उपसभाध्यक्ष महोदया, जो पब्लिक प्रेमिसेज अमेंडमेंट बिल 1992 मंत्री महोदया नै इस माननीय सदत में चर्चा गौर पारित करने हेत प्रस्तुत किया है, उस गर बोलने के लिये में खड़ा हुआ हू । इस विधयक के उद्देश्यों में मंत्री महोदया ने कहा है कि प्राण जो प्रादेशिक सरकारें हैं, उन्होंने सरकार से आग्नह किया है कि उनकी जो सम्पत्ति आज दिल्ली और केंद्र शासित प्रदेशों में है, वह इस विधेयक की परिभाषा में नहीं माती, इसलिये उनको इस विधेयक की परिभाषा में लाने के लिये यह संशोधन ग्रनिवाय है । प्रमुच्छेद 3 में सन्होने यह भी कहा है कि ग्राज दिस्ली में स्थित जो सरकार के गेस्ट हाउस हैं ग्रोर जो विभिन्न सांसदों की अनुशंशा पर उनके म्रतिमियों को कुछ समय के लिये दिये गये य ग्राज उनको खाली करवाना भी सरकार के लिये एक टेढी खीर बन गया है । इसलिये भी यह संशोधन द्यावस्पक है। उन्होंने यह भी कहा है कि ग्राज जो ऐसे भवनों को खाली करवाने की प्रकिया है, उसको छोटा करने की श्रावस्यकदा वै और इस समय जो इसे प्रक्रिया में कार्योक्ष काः प्रावधानः हैं उसकी भी समाप्त करने की बास की गयी है।

rised Occupants) Amdt. Bill, 1992-

श्रिः महस्वर सिंह जहां तक इस विधेयक को लाने के जद्देश्य का संबंध है, में इसका समर्थन करता हूं। लेकिन साथ ही मैं नम्म निवेदन करना चाहुंगा कि 1971 सेले कर म्रापके पास यह विधेयक पड़ा था, क्या इसका कभी कड़ाई से पालन किया गया ? ग्राज यह विधेयक पारित हो जाएगा उस पर सरकार कड़ाई से पालन करने में सक्षम है या नहीं, इस पर मुझे शंका है। ग्राज दिल्ली में सांसदों के लिए लगभग 800 बंगले भीर क्लेट्स ईयरमारक्ड हैं और दोनों सदन के सदस्यों की संख्या कुल मिल कर के 790 से उत्पर जाती है । तो मैं यह जानना चाहंगा कि नया कारण है कि आज भी कई संसद सदस्य ऐसे हैं जिनको समय पर बंगला भ्रलाट नहीं होता, फ्लैट भ्रलाट नहीं होता । मैं श्रापसे माध्यम हो मंत्री महोदया से यह जानना चाहुंगा कि क्या भ्तपूर्व संसद सदस्य धौर मंत्री भी इस विधेयक की परिक्षेत्र में ग्राएंगे या नहीं ग्राज ग्रार इस विधेयक का कहीं उल्लंघन हुआ है, श्राज अगर किसी ने नियमों का सब से ज्यादा उल्लंघन किया है तो मैं प्रापंते माध्यम से नम्र निवेदन करना चाहंगा कि वह उन्हीं के दल के लोग हैं । शाज जो सरकारी बंगले विभिन्न राजनीिक दलों ने जनरल पूल से पर लिये हैं उनकी स्थिति भी 1990 के श्रांकड़े जो मेरे पास हैं, वह have expired. And as you know,. इस प्रवार है । लगभग 11 बंगले कांग्रेस Madam, certain Members of our party दल के पास हैं । इन सरकारी बंगलों have expired and their families on का जो किराया विभिन्न राजनी।तक दलों compassionate grounds have been से देय था वह 8 लाख रुपये बनता था भौर इस ब्राठ लाख की राशि में से the families of Members who have केवल कांग्रेस के जिम्मे उस समय expired. I take strong objection to this 5,85,530 रुपये बनते थे । सब से कम and suggest to the hon. Member, who is भारतीय जनता पार्टी के जिम्मे बनता a responsible Member, to withdraw this था, केवलमात 185 स्पर्ये । आज मैं समझता हं कि शायद भारतीय जनता पार्टी के जिम्मे एक भी पैसा देय नहीं होगा। इसका श्रेय हमारी पार्टी के नेताओं को जाता है क्योंकि भारतीय जनता पार्टी एक अनुशासित दल है । इसलिए नियमों का पुरा पुरा तरीके से पालन किया

जाता है। 1992 के सर्वेक्षण के अनुसार

इस समय 450 ऐसे कैसेज हैं जो

सबलेटिंग के सरकार के ध्यान में ब्राए से मैं यह भी जानना चाहूंगा कि ऐ सबलेटिंग के केसेज में सरकार ने श्राज तक नया कार्यवाही की है? जैसे मैं कह रहा था कि इस समय 800 बंगले ग्रौर फ्लैट सांसदों के लिए श्रीर मंत्रियों के लिए जब ईयरमारक्ड हैं तो यह समस्या क्यों? यहां एक प्रश्न पूछा गया था, उस प्रश्न के उत्तर में मंत्री महोदया ने कहा था कि 46 पूर्व सांसद ग्रीर मंत्री ऐसे हैं जिन्होंने ग्रवैध रूप से ग्राज भी बंगलों पर कब्ज़ा कर रखा है । उस लिस्ट को जब मैंने देखा तो उस में कई ऐसे नाम हैं जिनको हम भलीभांति जानते है । वह भी ग्राज ग्रवैध रूप से बैठे हैं । मुझे लगता है कि सरकार ने किसी न किसी बहाने से उनका वहां रहना रेगुलराइङ कर दिया है। इसलिए यह सूची जो है केवल मात्र 46 नामों की है । हैरानी होती है कि इस सूची में ऐसे ऐसे लोग हैं जो दो वर्ष पहले भगवान को प्यारेहो गये लेकिन ग्राज भी बंगले में रह रहे हैं । मैं जानना चाहंगा कि क्या उनकी ग्रात्मा उस बंगले में रह रही है या कौन लोग भ्राज भी इन बंगलों में रह रहे हैं? (व्यवधान)

SHRI VISHVJIT P. SINGH (Maharashtra): I take strong objection to this. He is referring to Members who allowed to stay in their houses. This is highly unfair to level allegations against remark,

भी महेरवर सिंह: मेंने किसी व्यक्ति विशेष के बारे में कोई रिमार्क नहीं किया है उपसमाध्यक्ष महोदया, मैंने यह कहा है कि जब वे लोग इस संसार में नहीं हैं भीर जब ये बंगल सांसदों के लिए इयरमानर्ड हैं, ग्रगर कम्पैशनेट ग्राउंड पर सरकार उनको कोई ग्रीर जगह एलाट करना चाहे

तो उसका स्वागत है मुझे उस पर कोई भापति नहीं है लेकिन जो बंगले, जो फ्लैट सांसदों के लिए इयरमाक्ड हैं उनमें सांसद ही रहने चाहिए।

SHRI VISHVJIT P. SINGH: Madam^ the hon. Member is going further. He is poking fun at members who are deceased that they are deceased and some other people have occupied. This is very wrong. This is highly incorrect. Purely on compassionate grounds their families have been allowed to live in. Do you want to throw the widows out? Do you want to throw the little children out? Do you want to throw the families out? Till make their alternative thev accommodations they won't go from there. This is very wrong.

श्रा अहेश्थर तिह: मैं उन लोगों की बात कर रहा हूं जो आज भी अवैध रूप से रह रहे हैं, और यह मंत्री महोदय के जवाब में है। उन्होंने रेगुजराइज नहीं करवाया है। श्रवैध रूप से रह रहे हैं। मैं इस माननीय सदन में नाम नहीं लेना बाहता हूं लेकिन वे सूची में सम्मिनित हैं।

THE VICE-CHAIRMAN (SHRIMATI JAYANTI NATARAJAN):

श्री बहुंचर सिंह : इसके प्रतिरिक्त कुछ बंगलों के लिए यह कहा गया है कि कुछ लोग दिल के मरीज हैं, कोई फीडम फाइटर है । फीडम फाइटर को सरकार एकोमोडेशन दे, मुझे कोई प्रापत्ति नहीं हैं। सरकार भूतपूर्व संसदों को कहीं एकोमोडेट करना चाहे, हमें कोई आपत्ति नहीं हैं लेकिन जब ये 800 के 800 बंगले सांसदों के लिए इयरमार्क्ड हैं, मंतियों के लिए इयरमार्क्ड हैं तो ऐसे लोगों को प्रगर सरकार आवास सुविधा देना चाहती है तो बड़ी उदारता से कहीं प्रौर जगह दे लेकिन यह उचित नहीं है कि हम लोग जो इस सदन में बैटकर कानून बनाते हैं, इस सदन से बाहर हो जाने के बाद इन कानुनो का उल्लंघन करें । इससे हम नोगों के भी उपहास का पान बनेंगे । भ्राज जो इस माननीय सदन की ग्रांवास समिति है उसके सामने भी एक समस्या खड़ी है... (समय को धंटीं)

THE VICE-CHAIRMAN (SHRI-MATI JAYANTI NATARAJAN): You have to conclude now.

धी महेरबर सिंहः में यह भी एक सुमाव देना बाहुना हूं कि केवल मान यह विधेयक परित करने से यह समस्वा हल होने बाली नहीं है । इसके निए जो विभिन्न राजनैतिक दलों के नेता हैं उनको मपनी भाषार संहिता में यह बात लिख देनी बाहिए कि जो सांसद, सांसद न रहने के बाद भी इस प्रकार के बंगलों में प्रकर प्रवैध कन्ना करता है तो उसके खिलाफ अनुशासनात्मक कार्यबाही होगी । इन्हीं शब्दों के साथ में इस विधेयक का समर्थन करता हूं ।

SHRI VISHVJIT P. SINGH. Madam, this is a very long overdue Bill and yet, as the hon. Minister has made it clear in the Statement of Objects and Reasons, there are two very valid reasons for bringing this Bill. The first reason is the demand by the State Governments. The State Governments have lots of buildings outside the State which unfortunately get occupied over a period of time through allotment and are never vacated. It is impossible for the States under the present purview of the Public Premises Act to get those premises vacated. They have tried. The State Governments have been trying for countless years. In fact, some of the State Governments have been fighting it out right since 1948 or 1949 since the amalgamation of the princely States. Various accommodations which were within the control of the princely States were transferred to the States and those accommodations are still not vacated. They are fighting in the Courts. They have tried the Public Premises Act.

Yet, they have failed, it is only after all that, as a last resort, that they have approached the Ministry of Urban Development and asked for these special powers to be given so that they can get their properties wherever they are, vacated. This is a highly laudable objective and for this I want the whole House to be one—as we are the Council of States. This Bill is primarily meant for the States to get vacated that accommodation which is outside the respective States. It is. for that reason that this House ought to pass this Bill unanimously—just purely on this very basis. The second part is the one which refers to the guest accommodation and the honourable Member has referred only to the second part and not to the first part.

The second part refers to the guest accommodation. We are all aware, and some of us, I am sure, are guilty of it. People from our constituencies rame and ask for aecom:nodation and we allow them the accommodation and we allow them to stay on and many of us have never even checked ES to whether they have vacated those premises or not. And, Madam, I find that over the years, many units of accommodation are still with people who are not authorised. They stay there without paying any fees or rent and without any authorisation. I was shocked to see that in the Western Court, certain units have been sealed and some people have locked certain units and people have got even their cards printed as permanent residents of Western Court and also of the V. P. House! They originally got them as guest accommodation, but they have refused to leave. Therefore, I think, the Government has no other way but to take recourse to this drastic action of taking it out of the purview of the courts in order not to allow these people to misuse this accommodation which was given to them as guest aecammodation.

This far so far as the Bill is concerned. It is a very laudable Bill

and, as I said, the objects are very clear. But that is not enough. 1 would like to sound a note of caution; This is not enough.

Madam, the previous speaker referred to the question of accommodation I would like to give the House certain statistics.

Out of the total accommodation available with the CPWD, under Type I, there are 13,768 units which are available and the waiting list is for 6,239 units; in Type II, 20,512 units are available and the waiting list is for 11,994; in Type III, 21,522 units are available and the waiting list is for 10,291; in Type IV, 5,114 units are available and the waiting list is for 2,586; in Type IV Special, 128 units: are available and the waiting list is for 300; in Type V, 1,938 units are available and the waiting list is for 1,857; in Type V-B, there are no units available. A special category has been created, but not even one unit is available and the waiting list is for 475; in Type VI, 503 units are available and the waiting list is for 537; in Type VII, 116 units are available and the waiting list is for 282; and in Type VIII, 97 units are available and they are occupied.

In Hostels, 1,424 double suites are available and the waiting list is for 644.

In the case of single suites with kitchen, 224 units are available and the waiting list is for 799.

In respect of single suits without kitchen, 129 units are available and the waiting list is for 138.

In the Working Girls' Hostel, 137 units are available and the waiting list is for 65.

These are the figures. It is time that the Ministry of Urban Development made some efforts to try and create some extra accommodation. This extra accommodation is highly

essential. It is not enough merely to say that the premises are not available, that there is a long waiting list, and so on. I know that, today people who are entitled to a particular type of accommodation, have to take-I am talking about Government servants— two types below their entitled type, if at all it is available, and even that is not available. Why can't you change the entitlement? If no person who is entitled to a particular type, ever gets that type of accommodation why don't you then reflect on the realities of the situation on the ground rather than go on some other basis and say that this will never be available? If it is not available, then change the entitlement.

The Government should make more accommodation available. Though the list looks very large, it is not that difficult. I am sure we can provide some kind of units for all. The second point that I would like to make is that it is; not enough merely to put particular categories out of the purview of the-courts. According to me, all public premises should be taken out of, the purview of the courts. This is the only way to make this legisla tion (effective. I would like to quote an example I am talking about my personal example. My grand-aunt had donated one house to a local hospital in Kapurthala. The house was donated to a hospital. It is a large property. The Punjab Government has been fighting that case since 1962. We are now in 1992. 30 years have passed. It has gone under the Public Premises Act. It has gone under every other Act. Let me tell you that the house is still not vacated. It is for charitable purposes, to set up a TB hospital. And the Punjab Government is making all the efforts. And till today that house is not vacated in spite of the best efforts of the Government. All Government premises which come within the purview of the Public Premises Act should be taken out of the purview of the court. It is only then that you will be able

to make this Act really effective. Otherwise, this Act, through dilution, will not work. Thank you, Madam.

SHRI SANGH PRIYA GAUTAM (Uttar Pradesh): Then, what about that appeal under Section 9 of the original Act? That appeal has two stages, stay and delay. What will happen then to the summary trial?

THE VICE-CHAIRMAN (SHRIMATI JAYANTHI NATARAJAN): Dr. Bapu Kaldate.

SHRI VISHVJIT P. SINGH: That is exactly what I am saying. You need to amend the Act to take it out of the purview of the court.

SHRI SANGH PRIYA GAUTAM; That is why I say that there is no amendment in the present Bill.....

भी विश्वकित पृथ्वीकित सिंह : जो भ्रापने कहा है वही मैंने कहा है। वही नो मैं कह रहा है।

SHRI SANGH PRIYA GAUTAM: Therefore, I suggest that they should bring another Bill. Otherwise, it will have to be amended further.

SHRI VISHVJIT P. SINGH: At the present juncture, for the limited objectives which are laid down, this present Bill is absolutely sufficient. At least, get this Bill through so that something can be done. Or, you want that nothing should be done? Let something be done. We are the representatives of the States. The States have represented. It is for that that this Bill is being brought. That is the primary objective of this Bill to get those accommodations which belong to the States vacated. It is our responsibility as Members who represent the States. This is the Council of States. Let us be alive to our responsibility. Thank you, Madam.

Members change but the guests remain लेकिन the same. जिम्मेदारी लोगों हम Let me tell you very frankly. It g इसके लिए जिम्मेवार, ग्राप हैं इसके लिए जिम्मेवार । अगर हम इन लोगों को कोई न कोई मिल कर उसको अतिथि बनाने के लिए श्रगर उनकी मदद करते हैं तो इसकी जिम्मेवारी सदन के सदस्यों की है ग्रीर यह में नहीं चहिता कि हम उससे परे हैं। मैं हूं या नहीं, मैं नहीं हूं, यह भी में जलता हूं ग्रीर मैं उपदेश के तीर पर नहीं कहना चाहता हूं । लेकिन सदन की गरिमा को अगर स्वस्थ रखना हो तो यह बात बिल्कुल साफ है कि सदन के सदस्य भी श्रपने-श्रपने दायरे में श्रौर नार्मस में काम करें नहीं तो ऐसा होगा कि हम यहां भाषण करके चले जाएंगे ग्रीर हम ही दो-चार गेस्टों को एक्सटेंड करने का प्रयास करेंगे । मुझे लगता है कि यह बात कभी नहीं होगी क्योंकि ब्रावास समिति का प्रमुख ग्रापका ही मिल या सहयोगी - रहता है। ग्राप चार लोग जाकर उसके पास बैठेंगे और कहेंगे—नहीं, नहीं, रहने दीजिए, क्या फर्क पड़ता है। मेरें स्थाल से शीला जी की हालत तो हमसे भी बुरी हो सकती है क्योंकि यहां तो राज्यसभा के लोग ही भाएंगे, उनके पास तो सारे देश भर के लोग ग्राते होंगे। मैं यह कहता हूं कि यह एक ग्रजब स्थिति है।

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महोदय, हम वहां गए थे, हमारा फर्नीचर वहां पड़ा हुम्रा है। हम चाहते थे उसको बेचने की कुछ व्यवस्था करें ताकि लोग देखें ग्रौर ेखरीद लें।तो गए नार्थ एवेन्य । ग्राप जाइए जरा नार्थ एवेन्यु ग्रखबार वाले जब लिखते हैं कभी-कभी हम लोगों को गुस्सा आता है। लेकिन, लिखते सही हैं। ग्राप जाइए नार्थ एवेन्यू। क्या वहां पीछे कैराज में टेंट हाऊस वाले नहीं रहते हैं। मैं देखकर श्राया हूं। बहुत लोग रहते हैं, टेफ्ट हाऊस वाले रहते हैं, धोबी तो शायद किसी के सर्वेण्ट क्वार्टर वाला हो सकता है, लेकिन टेण्ट हाऊस वाले, फनींचर की दुकान, होटल, रेस्टोरेण्ट है । ये लोग ग्रापके दस्तखत से ही रहते होंगे । आप बताइए, किसने दस्तखत किए हैं? कैसे रह सकते हैं वहां ? कोई न कोई मेम्बर जरूर दस्तखत करते होंगे । क्या यह हमारी जिम्मेदारी नहीं है? क्या इस सदन की गरिया. इस संसद के सदस्यों के बारे में अखबारों मैं इस तरह छपकर बा जाए कि वहां रेस्टोरेंट चलता है, वहां टेंट हाऊस चलता है? वहां ग्रौर भी कुछ चलता होगा, मुझे मालूम नहीं । लेकिन, इतना तो मैंने जरूर देखा है। तो इसके लिए भले ही अगर श्रापको अधिकार देभी दें तो क्या इसमें हम लोग कुछ मदद करने वाले हैं या नहीं करने वाले हैं? ग्रगर हम लोग मदद नहीं करेंगे तो इस विधेयक से कुछ होने वाला नहीं है । सिंह जी, मैं श्रापको यह बात तो कह देता हूं कि यह विधेयक तो ठीक है, कानूनी तौर पर ठीक है, लेकिन करेगा कौन इसको ? यहां तक हमारे लोगों का सवाल है, हम लोगों को ही करना होगा। अगर हम लोग इस जिम्मेदारी को नहीं उठाएंगे तो झापके विश्वेयक का कोई असर नहीं

दूसरी बात यह है कि मुझे इसमें जो डर है वह अलग है और मैंने कहा कि में ग्राप्तंका के साथ इसका समर्थन कर रहा हुं, उद्देश्यों का करता हुं क्योंकि यह जरूरी है। एक नई फिजा अब सदनों के बीचों में, चल रही है कोर्ट में जाना। मैं सन, 1977 से इसी सदनों में रहा हूं। मैंने कभी नहीं सुना था कि लोग कोर्ट में जाते हैं, लेकिन आज भ्राप एकमडेशन कमेटी के चेयरमैन से पुछ लीजिए कि कितने मसले कोर्ट में गए हैं। कोर्ट बैचारा क्या करेगा? स्टे देगा । ग्राप भले निकालने का प्रयास करें, लेकिन छह महीने तो कम से कम वह रहेगा क्योंकि जब नंबर भ्राएगा उसके मुक्कदमे का तभी जाएगा। कभी कोर्ट में यह नहीं हम्रा कि उनकी बात मान ली गई हो, जो भी कोर्ट में गए हैं कभी फैसला उनके पक्ष में नहीं हुआ, फैसला अपने ही पक्ष में हुआ है, लेकिन जाते हैं भौर छह्-छह महीने उसमें लगते हैं। तो यह आवश्यक है कि समरी-पावर हो। यहां तक इस विक्षेयक का दायरा है उद्देश्यों की हद तक ठीक है, लेकिन मुझे इसमें पक्षपात का बहुत डर है क्योंकि वास्तविकता जो है वह कांग्रेस की ५ फिट से देखी जाए या सरकार की दुष्टि से देखी जाए तो में यह कहता हं कि बिल्कुल भ्रापकी पक्षपाती है । मैं जानता हु गेस्ट-एकमडेशन क्या है? नाम लेना अञ्छा नहीं है क्योंकि हमारे मित्र लोग हैं, हमारे बहुत परम मित्र लोग हैं, में किसी का नाम नहीं लेता। श्राप देखिए जरा। ग्राप जरा इसकी फेहरिकत देखिए कि कौन-कौन लोग, कहां-कहा, कितने-कतने सालों से हैं? इसमें मुझे डर यह है कि ग्रापको तो हम पावर दे चके और अगर आप इसमें पक्षपात करने लगेतो हो सकता है कि इस दिल्ली में सिर्फ कांग्रेस वालों के रहेंगे, ग्रीर किसी के नहीं रहेंगे।

की मातंग सिंह (श्रसमः) : सिर्फ कांग्रेस वालों के नहीं रहेंगे।

टा॰ वाष् कल्लाते : प्रन्छा, वे भी जा सकते हैं। ग्रन्छा गेस्ट उनके रहेंगे । श्रतिथि ही रहेंगे हमारे लिए कुछ नहीं रहेगा। लेकिन, इसमें बहुत जिम्ने-दारी हम लोगों के छत्रर है। आप भले ही सरकारी पक्ष में बैठे हैं, लेकिन मैं कहता हूं कि ग्रगर इसकी दृष्टि इस बात को देखा जाए और सांसदों के वेतन के की दिख्य से देखा जाए तो

rised Occupants]

Amdt. Bill, 1992—: Passed

समितियां चलाते हैं, उदके अपर 3-00 P.M. भी श्राती है । श्रव में ग्राबिर में एक दो बातें कहना चाहता है।

हमारे ऊपर एक विशेष जिम्मेदारी इस

कानून से प्राती है सीर हमारे जो लोग हैं, जो

मरं यह सुझाव हैं। एक तो यह है कि ब्रापके जो वंगले हैं वह बहुत पुराने हैं। मुझे मालूम है कि बरसात में क्या होता है । वह सब लोग डर गये होंगे जो पुराने बंगली. में रहते हैं। क्योंकि कब क्या गिरेगा उसका कोई भरोसा नहीं। कुमारी मालिया जी अपने सदन को मेंबर थीं। बरसात में में उनके घर गया । एक भी अक्सरा नहीं या जहां वह बैठ सकती थीं। सारे कमरे पानी से भरे हुए था।

श्री इंश दल यादव (उत्तर प्रदेश) : ऐसा मकान क्यों दिया ग्रापने?

डा० बाप् काल्याते : मैंने न हीं दिया था । मैंने जायसवाल जी को दिया है। मुझे इसलिए मालुम है कि वह क्या है।

भी संघ प्रिय गौतमः पक्षपात कर दिया ग्रापने।

अर० बापु काल्याते : बाबा खड़क सिंह मार्ग बाले जो क्लेट्स हैं वह बहुत अच्छे हैं श्रीर में मानता हूं कि वजाय कि वह पुराने बंगले उनमें से कुछ बंगले तोड़ दीजिए और जैसे कि बाबा खड़क सिंह मार्ग पर जो श्रापने फ्लेट्स बनाये हैं वह ग्रगर फ्लेट बना दें तो बहुत ही ग्रच्छा रहेगा। इसका एक प्लान बना दीजिए कि इतने सालों में हम*ी यह* करना है । सिर्फ नाम के वास्ते ठीक है कि बंगले में रहते हैं, स्टेट्स भी हो, सकता है, शायद मझे मालुस नहीं नेकिन अधिगा कोई तो उसको पता सकता है,

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लगेगा कि इसका कोई स्टेटस नहीं इसलिए इसको बंगला दे दिया है। ऐसी हालत सब बंगलों की है। मैं यह कह रहा हूं कि ऐसा कोई स्कीम बनानी चाहिए ताकि ग्रायन्दा कुछ सालों में यह मकान ऐसे फ्लेट्स बन जायें ग्रीर यह भी लोग सोचेंगे, मैं भी सोच्गा कि ग्रमर यह फ्लेट्स ग्रच्छे हैं तो उसमें जाने का हम सब लोग प्रयास करेंगे।

मैं एक मिसाल देता हूं। 1985 में के बिनेट ने हक फैसला किया कि पार्टियों के लोगों को मकान देना चाहिए। फैसला यह था कि छ: तक देना चाहिए। ग्रव कांग्रेस के पदाधिकारियों ग्रीर पार्टियों के पास कितने बंगले हैं, जरा देख लीजिए, कम से कम 14 हैं। कोई पार्टी यहां नहीं हैं, मैं रिकागनाइज्ड पार्टी की बात कर रहा हूं। ग्रगर ग्राप ही ग्रपने नियमों को तोइने लगेंगे तो गायद नियम चलेंगे नहीं।

भ्री प्रजीत जीगी : (मध्य प्रदेश) कांग्रेस ग्रीर दूसरी पार्टी में फर्क तो बहुत है ।

खा० खापू काल्बाते : वह तो हो सकता है । नियम प्रापने बनाये, इसलिए में कह रहा हूं ! जो श्रापने नियम बनाएं उसके ऊपर तो प्रमानलन करो, प्रापसे मेरी यही मांग है । पक्षपात न हो, नहीं तो यह विधेयक बाकी लोगों के लिए एक खतरनाक विधेयक साबित हो सकता है । यह बात श्राप ध्यान रखकर इस विधेयक का हम समर्थन कर रहे हैं । इसके साथ भी हमारे मन में जो श्राणंकाए हैं उसकी ध्यान में रखते हुए अपने काम को चलाएं, इतनी ही मेरी श्रापस प्रार्थना है ।

श्री संघ प्रिय गौतम : जोगी जी की बात का समर्थन करने हुए कि जितनी ज्यादा बड़ी पार्टी है उतनी खराबी ज्यादा है।

SHRI SANTOSH KUMAR, SAHU (Orissa); Madam Vice-Chairman,

keeping in view the laudable objectives of the Bill, I rise to support the Public Premises (Eviction of Unauthorised Occupants) Amendment Bill This Bill has been brought forward as has been pointed out by the previous speakers, following the demand from the States that this legislation which is now in vogue in relation to the Central Government properties should be extended to cover the State Government's properties also to ensure eviction of unauthorised persons. It is very good that such a bold step has been taken.

While supporting this Bill, I would like to point out to the hon. Minister that we have, till now, touched only the fringe of the problem, Madam. Dehli is not just any other city. It is the Capital of India, People from, all corners of the country, from far-off places, come to for various persons administrative reasons, for health reasons We have not paid sufficient etc. attention to the fact that no cheap accommodation is available in Delhi. People find it difficult to get cheap accommodation when they come here from different places of the country. For example, many people come to the All India Institute of Medical Sciences, which is the best in the country. If a person has to undergo- bypass surgery, he may have to stay in Delhi for months together because he does not know when the doctor will. give the date for the operotion. Similarly there are other administrative and other, reasons, for which one has to run to Delhi. There are not two opinions that unauthorised occupation must go- All the Members from different parties have said this but must realise that Delhi, is the capital of India. People from far off distances come here for various reasons. They are in search of a chean accommodation. They cannot luxury of 5-star hotels which is meant for tourists and for those who can pay common man can lavishly. No afford such a costly accommodlation. There.

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fore, it is necessary that cheaper accommodation must be available lor those who are coming to Delhi to get some medical treatment, to settle their administrative matters in head offices. This aspect has to be taken into consideration by the Government

Madam, in this connection I would like to know two things. Firstly, very soon Delhi is going to have a State Legislature. The Bill has alrea dy been passed. I would like to know whether the Central Government would continue to be the evictor even after Delhi got its Statehood or whether the Administration will play the role of the evictor. It is necessary to consider this point.

Secondly, most of the hon. Members have suggested that it should be out of the purview of the court. This was necessary for expeditious action. But in the Statement of Objects and Reasons it has been said that "no appeal should be allowed against the order of eviction...". This is no good-It may tend to give arbitrary powers to the State Officer who is the sanctioning authority and who would also be the evicting authority. Nowhere in the world is there such a law. There is a possibility of the officials of the Estate Office colluding with the vested interests. We may ourselves be the victims because without our knowledge they may be allowed to stay in the guest house accommoda tion. So, this aspect of beneath-the-table may also considered,

Let me again assert that there is a terrible population explosion in our country. People from various corners of the country are coming to Delhi. They are on the look out for a cheaper accommodation. They come here to get justice from Supreme Court, to get treatment in modem hospitals. Also, as Shri Vishvjit Singhji was saying, there is proper accommodation for Government employees. Housing Development Scheme in Peihi has also not been successful. In

view of this, there will be pressure for unauthorised occupation, there will be pressure for getting accommodation in guest houses. Therefore, we have to go deeper into the problem. It is a burning provide problem to cheaper accommodation in Delhi. Therefore, I would like to appeal to the hon. Minister consider this. You may keep it out of the purview of the court, but you must give the right to appeal. You create some authority. Otherwise, the sonc tioning authority, that is the Estate Officer, would be the evicting authority. It will become a quasi judicial body. From jurisprudence point view, the executing body cannot be a judicial authority. It can never be a good law which creates all the authorities in one body. Hon. Minister'may consider this aspect. It may create problems. It may pressurise some persons. Also, some persons may get favours and some persons may be harassed by the officers of the Estate Office. You may fix a limit of 7 days. The judgement must come within 15 days. It should not take 20 years. You may not give a long rope to the unauthorised occupants, who have no proper authority to continue, i seeing the other provisions of the Bill and that now you I will now try only to say the eviction by are trying to expedite providing for only 24 hours' notice in clause 3 of the Bill. I say that at least seven days' time should be given that should have been the proper time-frame. If people have remained 'for 20 years, can you not afford to give them seven days' time? Let us be very reasonable and rational when we pass Bill like this. There is no question that within 24 hours we are going to solve the problem of housing in Delhi and it is not as if we are going to solve the problem of eviction within 24 hours. So, why should we create such provisions in the law which become arbitrary under the principles of legal jurisprudence? let us have all the regard for them. It might be only a temporary arrangement.

rised Occupants)

Amdt. Bill 1982— Passed

[Shri Santosh Kumar Sahu] The fundamental point is, when Delhi is going to become State, it will have another law. So what is the hurry for that? Therefore, I would like this fundamental point also to be considered.

Then, when we consider that Delhi is the capital of the country, development must take place here. There must be cheap and proper accommodation for people coming from the far corners of the country for justice, for administration and for medical treatment, because all these facilities are centred round here. Nobody can deny that.

With these few words, Madam, I think, in future the Urban Development Minister will kindly consider these points and see that a bold and ambitious plan is taken up for building new guest houses and cheap an i proper accommodation because there will be pressure of people coming from different places. Thank you, Madam.

SHRI ASHIS SEN (West Bengal): Madam Vice-Chairperson, to me it appears that this is a Bill which, on the face of it, is supportable and there is not much objection to be raised. But there are certain points which need to brought before the House it self. To the purpose for which it is intended, we do not have any objection.

It is true that various State Government premises are under the occupation of people in an unauthorized manner in the Union territories. I support the idea that instead of keeping it only to the Central Government premises, Sate Government premises also are being brought within th purview of this Bill. But then, here "do support the proposals given by Shri Santosh Kumar Sahu about provision of cheap accommodation here. That will come later.

But what 1 find here is that besides the office premises—which is the pri-

Passed mary concern of this Bill-I feel that residential premises of the Government like flats, bungalows and hostels—I think Dr. Bapu Kaldatji has also menioned about it with his experience as Chairman of the House Committee of this Housere maining occupied in unauthorized manner. The surprising part of it is this. Dr. Bapu Kaldateji has also mentioned it. What we find is that ex-MPs and ex-Ministers are also retaining some of these accommodations under their thumb. At the time when they were holding offices they must have requested and got some allotment, but years and years have passed by but these ex-MPs and ex-Ministers are still keeping these accommodations under their control. I am not going to mention about it. Dr. Bapu Kaldateji is quite experienced and he has given a clear picture of it —and I fully endorse it becuse I also happened to be associated with him for quite some time on the House Committee. The problem today is, I do not find that there is any difficulty so far as the new Ministers are concerned. It is the Government's responsibility and Mantriji will be trying to go out of her way to provide accommodation for them, justifiably so. But what about the MPs?

Amdt. Bill, 1992—

DR. BAPU KALDATE: Old people

SHRI ASHIS SEN: That is why Mr. Vishvjit Singh has given figures about how many are thus occupied and how many the claimants are. I am not going into those figures, to avoid repetition. But the question which comes here is, new MPs are coming. I don't think Mantriji is taking as much care about the accommodation of the new MPs who are coming. For months together they move about and they don't get accommodation. It cannot be provided to them Plats and hostel accommodation, in the name of having guest accommodation for a few days only, are kept under the control of the allottees for weeks and months. Even we have the expe-

rience that for two-and-a-half years in the Western Court in the name of this 'MP or that Ministei or some other person like that somebody was kept there, with the result that new MPs could not get accommodation, and Ministers and MPs also who want to get an accommodation for their guests, could not get it. This is the state of affairs which perhaps cannot be reconciled with. That is why I do support certain proposals of this Bill. There are umpteen cases like this. Dr. Kaldate has already mentioned about it.

The surprising part of it is this. I happen d to be an allottee in the V.P. House. There are a number of one-room flate, two-room flats allotted to certain individuals, guests of MPs. We find that $M\bar{Ps}$ other are not getting accommodation. When nominees of MPs come for their medical attention or for admission 'for any other purposes, they are not being given accommodation which can possibly be given. These rooms and flats are being used by certain people for the weak-ends or as a rendezvous. Even today this is going on. On the other side we find the other aspect. I am not going to use any other word for that. I am confining myself only to the world "rendezvous." You can interpret it.

Certain rooms are lying locked for more than a year and a half. Still such rooms ere there, flats are there It is not a question of Western Court alone. The V.P. House also has hostel accommodation. I am bringing in the question of the V. P. House. Hostel-type accommodation is there, and the position in that respect is not different.

One thing comes in here that if public premises are under the occupation of unauthorised persons, it has been said that they should be taken out of the court. It is one way of saying that if they are taken out of the

court, there will be a speedy disposal of the disputes and removal of persons who are unauthorisedly occupying the premises for a long period. J am not a technical man. I do not know the law about these things. What I say is that an opportunity should be given to the person to whom notice is given ad that he can represent or appeal against what has been demanded. Though, on the basis of experience in the House Committee, I find that *pet-haps* that is not needed, natural justice demands that there should be an opportunity given to the person to represent or appeal.

Here is section 3A is given the procedure to be followed by the estate officer if he is of the opinion that any persons who ware aUottad temporary occupation of any public premises, are in unauthorised occup' ation of the said premises. We0 are giving to the executive too much power. I would like to put amend ment in this from:

"If the estate officer finds on the basis of facts and documents, not because of his opinien alone......"

I may be prejudiced, I may be vindictive as an estate officer. That is why I say that on the basis of facts and documents if he feels that any person is in unauthorised occupation off some premises, then, he should be evicted under the procedure that has been laid down therein. Bight. Why I feel so is that there is another point also. The Bill may be put through. But the power has to be given to the estate officer to evict such occupants by use of force. I do not know what the Minister has in her mind about this. On page 3 of the Bill it is stated that the estate officer can use such force as may be necessary. If this is not clearly explained here, then, the estate officer can take the responsibility of doing the job of a Police officer Police officers use several types of degrees for getting certain things

[Shri Ashish Sea]

done. Such an event may develop here. We should take care that this does not happen. (Time bell rings). Another Member of the House Committee,; Sahu Ji, has also, spoken about it. People are coming here. Why should the Minister not consider providing accommodation in -Delhi? People will be coming herer for medical-aid or for other purposes. If some modernised *Dharm*shalas are provided, the people coming- to Delhi -will not become a victim of big hotels,- Why do we need so many fivestar hotels? For Olympics it was done. It was quite all right. I am not disputing that point. But there is a need for construction of very many cheap accommodation and improved varieties of *Dharmshalas* in large numbers. If if is done, the Minister will be doing a good service to the people and they will be blessing her for this facility. I do not want to. talk much about it any further, but what I want to say is this. Mr. Vi'zol, the ex-Chief Minister of Nagaland has been here for the past three months. I enquired" where he was staying. 1 came to know that for the past three months he has been here,, but he has not yet been allotted any bunglow. He is roaming about in the city of Delhi, but he does not have an accom-mocation. He is an ex-Chief Minister of a "State." I think the hon. Minister will kindly look into it. incidental-' lyothugh it may not be directly re-":' levant hete, yet I would like to refer to a- case of the State I come from In thecity of Calcutta, I find very many:" Central Government offices are located. I' am hot saying some people should be evicted from there. What I say is that the Calcutta Municipal Corporation has repeatdly made appeals to the Central Government that at least taxes due from these buildings for occupaion by them should be paid. If the Minister takes care of that, the Calcutta Municipal Corporation Mayor will be happy for getting crores and crores of rupees of out-

standing dues. Because it is the Coun-cil of the States and I am a Member from that State, I feel some problem of my State I should bring to the notice of the House, apart 'from the other things under the Bill on which I have spoken,

श्री ईश दत्त यादव: मैडम सरकारी स्यान (अप्राधिकृत अधिभोगियों की वेदश्व-संशोधन विधेयक 1992 जो प्रस्तुत किया गया है मैं उसके विरोध में नहीं है बल्कि मैं इसका समर्थन करता ह। लेकिन यह कात्न बहुत पुराना है। सन् 1971 में यह पास किया गया था और कानुन बना था। थोड़ा सा परिभाषात्रों में ग्रौर कुछ प्रावधानों में संशोधन किया जा रहा है कि राज्य सरकारों के दिल्ली में ग्रौर केन्द्र शासित प्रदेशों में जो भवन हैं उनमें अनिधकृत रूप मे जो लोग रहते हैं उनको बेदखली के लिए सरसरीतौर से कारवाई की जायेगी, इस तरह का संशोधन किया जा रहा है। लेकिन यह जो संशोधन किया जा रहा है इसमें कोई सख्ती नहीं है, कोई फोंस नहीं है, ऐसी मेरी मान्यता है। क्योंकि यह पुराना कानून 1971 का है और ग्रंब जो संशोधन किया जा रहा है ये दोनों भले श्रादमी के लिए है. शरीफ धादमी के लिए है, कमजोर ग्रादमी के लिए है। जो बड़ा ग्रादमी है, जो प्रभावशाली है, जनबल में मजबूत है उसके लिए यह कानून कुछ नहीं कर सकता। दूसरे इस संबंध में त्विदन यह है कि जो ग्रधिकारी है या मंत्री है, माननीय शीला कौल जी से मेरा मतलब नहीं दू उनके स्थान पर जो भी मंत्री रहेहों या जो रहेगा, चाहे जिस दल का हों, उसकी नियत पर निभए करता ! मैं बहुत विस्तार में नहीं जाना चाहता।

श्री संघ प्रिय गौतमः एक मंत्री बेस्टन कोट में भी रहा था।

श्री ईश दत्त यादव: मंत्री के दिपक्ष के लोगों के लिए म्रादेश होते हैं कि म्राप तीन दिन में भवन खाली कर दीजिए ग्राँर जो सरकारी पक्ष के हैं उनके लिए एक साल तक। उसके पीछे कभी पत्नी बीमार है तो कभी बच्चे की शिक्षा है, इस तरह के भ्रनेक कारण हैं। मैं निवेदन कर रहा था कि इस कानून का न कभी गहराई से पालन हुआ और न मुझे सम्भावना है कि इसका गहराई से पालन हो सकेगा। अगर माननीय मंत्री जी या इनके बाद जो भी मंत्री रहे जिस भी दल का हो, अगर इस कानून का गहराई से पालन करें तब तो इसका कोई लाभ हो सकता है। महोदया दूसरी चीज मैं गह कहना चाहता हूं कि पूरा सदन जानता है कानुन के जानकार लोग हैं, ग्राप भी हाई कोट की ग्रधिवक्ता हैं ग्रीर मैंने सूना है कि योग्य ग्रिधिवक्ता है. इस कानन से लाभ क्या होगा? संविधान का जो ग्रनुच्छेद 226 है बेदखली की कार्यवाही करने ने पहले ही जो ब्राइमी **ग्रनधिक्**ल रूप से रह रहा है वह हाई **कोर्ट** में चला जाता है ग्रौर स्टे वे विता है, सिवित कोर्टमें पहले चला जाता है ब्रीर स्थगन ब्रावेश ले लेता है तो फिर क्या होगा? यह पूरा जिल में देखा नहीं पत्या हे लेकिन जो कुछ देख पाया ह उसमें मैंन कहीं भी बह नहीं <mark>पाया है कि सिवित कोर्ट का ज</mark>रिव्डिकंणन बार करेगा। हाई कोर्ट का तो संविधान संशोधन ग्राप कर नहीं सकते हैं ग्राटिकल 226 में रोक नहीं लगा सकते हैं। इसलिए इस कानन का कोई लाभ होने बाला नहीं है। इसलिए मैं ग्रापके माध्यम में मंत्री जी से और सरकार से ब्राग्रह करुना कि सरकार इस पर गम्भीरतापूर्वक विचार करे और जो कानुनी अहेंगे आने बाले हैं कानती बाधायें ग्राने वाली हैं. उन बाधाओं का निराकरण करके सरसरी तौर पर स्राप किस तरीके से बेदखली की कार्यवाही कर सकेंगे। भ्रगर श्राप गम्भीरता से नहीं सोजेंगे और कान्न में फिर संशोधन नहीं करेंगे तो इस संशोधन स मेरी राय में कोई लाभ होने वालः नहीं है।

इमरी बाव मैं यह निवेदन करना चाहता था कि हमारे माननीय पूर्व बक्रवास्त्रों ने कड़ा कि हमारे गेस्टम रहते हैं। यह ठीक है कि माननीय सदस्यों के गेस्टस रहते हैं। प्रोवलम्स हैं। इसके लिए माननीय मंत्री जी से भेरा अनुरोध है कि साथ कुछ भवनों का विस्तार कराइये कुछ राज्य सरकारों की भी

प्रोत्माहित कीजिये कि वे दिल्ली में कुछ भ्रपने भवन बना सकें। मैं उत्तर प्रदेश से ग्राता हं। उत्तर प्रदेश के दो भवन यहां पर हैं ग्रौर तीसरा भवन बन रहा है। लेकिन हमारे उत्तर प्रदेश के जो एम० एल०एज० है, हमारे जो श्रिधकारी हैं या नव-निर्वाचित संसद सदस्य हैं उनको स्वान नहीं मिलता है। उसका कारण यह है कि कमरों की कमी है। दूसरी बात यह है कि आज ही माननीय मंत्री जी श्रपने ब्रादेश से जांच करबायें या प्रदेश सरकारों से जांच करवार्थे तो उन्हें पता चलेगा कि उत्तर प्रदेश भवन में भ्रनधिकृत रूप से सालों से लोग पड़े हुए हैं। वे न तो एम० एल० ए टैं बौर न ही एम. पी. हैं और न ही ग्राई, ए, एस, या काई० पी० एस. ग्र**धिकारी हैं। उनको कोई** बेदखन करने वाला नहीं है। इसलिए मैंने अरू में कहा कि यह सरकार के धौर ग्रिधिकारियों की नियंत पर निर्भेर करता है कि कौन **धादमी धनधिक**त व्यक्ति है और किसको निकाला आय ग्रौर किम को नहीं निकाला जाय। इस मामले पर श्रापको गम्भीरता से दिचार करता चाहिए और जैसा मैंने निवेदन किया माननीया मंत्री जी कुछ भवनों का विस्तार करायें। श्रापके पास वेस्टन कोर्ट ग्रौर वी० पी० हाउसेज हैं। लेकिन फिर भी जगह नहीं है। मेरे जनपद से माननीय सदस्य श्री मोहम्भद मसूद साहब इस सदन में निर्वाचित होकर स्राये है। हफ्तों तक हमने प्रयास किया, उनको यु०पी० भवन में जगह नहीं मिली। बहुत प्रयास करने के बाद मैं हाउस कमेटी के चेयरमैन महोदय को धन्यवाद देता है उनको 12 नम्बर का कमरा मिला। लेकिन वह कमरा ऐसा है कि उसमें ग्रादमी तो क्या जानवर भी नहीं रह सकता है। यह कमरा उनको एलाट किया गया है। वह सदन के सम्मानित सदस्य है। उनको वेम्टर्न कोर्ट में 12 नम्बर कमरा मिला है...(व्य⊲धान)। महोदया जब श्राप वहां रहती थीं तो तब उसकी रौनक दुसरी थी। दो साल के बाद उसकी रानक खत्म हो गई है। यह कमरा

[श्री ईश दत्त यादव]

रहने लायक नहीं रह गया है। आज भी मैं उनके साथ हाउस कमेटी के चेयरमैन साहब के पास गये। हमने प्रयास किया कि उत्तर प्रदेश भवन में उनको एक कमरा दिलवा दिया जाय। उन्होंने ग्राश्वासन दिया श्री" ग्रपने श्रधिकारी को निर्देश भी दिया । मुझे विश्वास है कि जनके प्रयास से उत्तर प्रदेश भवन में शायद —-भैं शायद कह रहा हूं—उनको कमरा मिल जाये, वरना उनको उसी में रहना पड़ेगा । इसीलिए मैंने निवदन किया कि ग्राप विस्तार करवाये । मैं ग्राप के माध्यम से माननीय मंत्री महोदया ग्रन्रोध सरकार से भारत करता हूं कि इस तरह की समस्यायें, जिनका जिक हमारे माननीय वक्तास्रों ने किया है तो ऐसी समस्यायें किस वजह से पैदा होती है ? एक तो यह समस्या पैदा होती है भूत-पूर्व सांसदों के कारण... (समय की घंटी)...

मैं ग्रपनी बात हो मिनट में समाप्त कर रहा हूं।

इन तो भृतपूर्व सांसदों की वजह से यह समस्या पैदा हो जाती है । में श्रापके माह्यम से माननीय मंत्री महोदया श्रीर सरकार से मांग करूंगा कि आप इस तरह को ब्यवस्था करें जो वर्तमान सांसद् हैं स्रीर जो दिल्ली में मकान लेना चाहें उसके लिए दिल्ली में एक छोटा सा भू-खंड ग्रीर कोई छोटा सा मकान, श्रापके कैल्टस जो बनते हैं, वे, उनको श्रासान किस्तों पर श्रलाट करवाइये ताकि वे उको पांच सालों में, दा बालों में परचेज कर दें, इसी प्रकार की वायस्थः आप पत्रकारों के िए भी कर दे, भूषपूर्व सैं तिकों के लिए कर दे स्वतंत्रता संग्रम सेनानियों के लिए कर दें। श्रीर भी बहुत लोग हैं, दिल्ली बहुत बड़ी हो गयी है ब्रीर ब्रब इसकी करोड़ की जनसंख्या होने जा रही है । सब के लिये तो ग्राप व्यवस्था नहीं कर सकते हैं। लेकिन जो विशिष्ठ लोग हैं , जिनकी वजह से दल्ली में ग्राप को बेदखल की कार्यवाही की नौबत ग्राती है, उनके लिए ऐसी न्यवस्था कीजिए । साधारण श्रादमी को तो ग्रापका सिपाही जब चाहे उसका सामान बाहर फेंक देगा । लेकिन भूतपूर्व सांसद् , भूतपूर्व सैनिक श्रौर स्वतंत्रता संग्राम सैनानी भौर पत्रकार, श्रगर इनके साथ ऐसा होगा तो ग्रखबार में छाप देगें। हम भ्रगर भृतपूर्व हो गए तो क्योंकि हमें लड़ाई लड़ने का ग्रनुभव हो गया है इसलिए लड़ाई लड़ेंगे । इसलिए मेरी सरकार से प्रार्थना है कि सरकार दिल्ली में सांसदों के लिए, पत्न-कारों के लिए, भृतपूर्व सैनिकों के लिए श्रीर स्वतंत्रता संग्राम के सैनानियों लिए छोटे भूखंड ग्र⊦वंटित फ्लैट्। ग्राबंटित करें ग्रीर उनको यह ग्रासान किस्तों पर दे। भ्रगर भ्राप ऐसा करेंगे तो इस समस्या का निराकरण हो सकेगा और यह समस्या गंभीर नहीं हो सकेगी ।

इन शब्दों के साथ इस बिल का समर्थन करते हुए में श्राप से श्रनुरोध करना चाहता हूं ग्रीर मुझे विश्वास है कि ग्राप इस पर कड़ाई से पालन करेंगीं। में स्राप को कोई शिकायत नहीं करना चाहता लेकिन मेरी जानकारी में ब्राया है कि सत्ता पक्ष के लिए ग्राप का दिल जो है वह बड़ा नरम है लेकिन विरोधियों के लिए थोड़ा कड़ा है । उनको ग्राप तीन दिन में हटा देती हैं। लेकिन जो सत्ता पक्ष के हैं उनकी औरत की बीमारी ग्रौर बच्चों के स्कूल के कारण उन पर रियायत कर देती हैं। मैं एक छोटा सा श्रापसे अनरोध करूंगा । शायद ग्रापको श्रांकड़ें मिल जाये । श्राप श्रपने उत्तरमें बतलायेगा कि कितने लोग ऐसे हैं जिन्होंने खाली नहीं किया है ग्रीर उनमें किस-किस दल के लोग कितने दिन से वहां पड़े हैं ?

इन गर्व्यों के साथ मैं ग्राप को बहुत बहुत धन्यवाद देता हूं जो ग्राप ने मुझे इस पर बोलने का समय दिया ।

SHRI G. SWAMINATHAN (Tamil Nadu): Madam Vice-Chairman, I rise to support the Bill. I appreciate

(Eviction of Unautho.

the intention of the Government in bringing this Bill, firstly, to help the State Governments' to evict the tenants from their allotments in Delhi and secondly, to amend the existing provisions So as to evict persons from unlawful possession of Government buildings. Madam, there are provisions existing to evict persons from unlawful possession of Government buildings. It has been noted in certain cases that it is not only the law which is standing against evictions but the will of the Government to evict such persons is also not there. And sometimes, when there are two similar cases, against one person action is taken and against the other action is not taken, for Varous reasons. Wtahever may be the provisions available under the Act, the Government should also see to it that they are implemented properly. Without proper implementation, making the Act more and more stringent will not be of any use.

Regarding guest accommodation, I happened to read a House Committee report. The House Committee investigated the whole matter as to how many people were living in the Western Court and other places. And I hope, this Bill, after it is passed, will be able to help the Government to see that these people are evicted.

One point which I want to mention is regarding the allotment of ser. vant quarters. Many of these public buildings are given to Members of Parliament and Government Officers and then servant quarters are also attached to these buildings. In a bungalow, there may be two, three, four or sometimes five servant quarters. When an M. P. or an officer is allotted a particular building, he gets in some 'servants for the work to be done in his bungalow and when a servant comes there—a house-maid or a servant—to work in the house, they do work in the house for some time. There are a certain set of peo-

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ple who are always hankering getting the accommodation of the M. Ps quarters especially, and also government officers quarters. After they come there and stay there for some time, they cease to work. They occupy the house, continue to be there but cease to work in the bungalow and when we want them to go out of the bungalow, they refuse to go out also. what happens is that an M.P. Now. remains in the bungalow for a period of years or six years, depending upon the tenure of the Member. The servant is there and from one house of the M. P., he goes to another house of the M. P. This is what is happening here and no action could be taken. A similar case has also happened with me. A maid-servant was put in the servant quarter, She worked for some time. Later on, she married for a second time and refused to work in the House. When I asked her to go out of the servant quarter, she refused to go and got in more and more people there and created a lot of problem for us. I took up the matter at the Rajya Sabha Secretariat level. They say that no action can be taken because I as an M. P., got a servant in my servant quarter and before I get a servant, I should have carefully analysed whether that servant will be all right or not. Sometimes, it may not be possible for an M.P. from Tamil Nadu or from Kerala to verify all these things. When they get a servant, they may not know how the servant will behave afterwards, especially after getting a second husband, most probably, all the people are coming and we may not know that she will get herself married again. This kind of situations come and no action can be taken by MPs. Still, it is continuing.

Then, another course of action was suggested that this- matter can be reported to the police that they are unauthorised persons and since they are unauthorised persons, they can be evicted by the police. When such a move is made to the police, the

Passed

[Shri G. Swaminathan] police say, it is a matter of civil nature and they will not interfere in getting the servant out and we should make some arrangements of our own. Now, an M.P. is not a legal owner of the house and when he lets out a servant quarter, he cannot legally move in the matter because he himself is a tenant and he has given that portion of the servant quarters to somebody else. When we report to the police, they feel, it is between the landlord and the tenant even though we are not the regular landlord. They say this matter is of a civil nature and they will not interfere and take any suitable action in this matter. This seems to be a regular lacuna which many of the MPs have told me and for the servants lo go away you have to use muscle power and then you have to see that they go out of the house. This is the position. I would request the hon. Minister to find a way out for this thing.

Before I conclude, I wish to make only one or two points. One thing is about the old bungalows. I am living in one such old bungalow in Canning Lane. Most probably, it must have been 100 year* old or 150 years old and is in a dilapidated condition. It hag got about half acre area, it has a big garden. Everything is there. But these bungalows on some of the roads like Canning Lane are so old that they have be- come dilapidated. Recently when I got re-elected to Rajya Sabha, my wife asked me, "why can't you see and try to find out some other good house?" Yesterday I went about seeing many houses to find out whether I could request the hon. Chairman of the House Committee to get another house for me. When I went out to. so many places, I am now convinced that my present place is better and it is not worse than most of the bungalows I have seen.

Almost all the bungalows which I was able to see except the Ministers bungalows or the bungalow- of the Chairman of the House Committee—

these bungalows are done up well— are in a bad shape and I would request the hon. Minister to appoint a Committee of Members of Parliament-for Rajya Sabha Pool, a Committee consisting of Members of Rajya Sabha and for Lok Sabha, a Committee consisting of Members of Lok Sabha—to find out the facts to go about and see ali the bungalows, now bad a condition tney are m. And they have to be rectified. At least some urgent action has to be taken. Ordinary repairs will not do. Urgent action lias to be taken to see that these bungalows are properly kept. 1 may also incidentally mention that the service of the CPWD is very bad, they are not timely, they are also not doing their work propertly. This matter has also to be looked into.

And only .one word regarding the Baba Kharag Singh Marg. Some Member has said—i don't know if it is Bapu Kaidate or somebody else— that these Baba Kharag Singh Marg flats were built recently. Yesterday I happened to go there and 1 saw the flats. Some of my relatives are living in flats in Madras, constructed by private builders. Those flats are so nicely built that you don't feel that you are living in a flat. I don't know who gave you the plans for these Baba Kharag Singh Marg flats. It is all something like a vestibule. Some of our hon. Members had been there. (Interruption) .. .1 don't want to tell their names. Some of the hon. Members told me. These flats were built six years ago when I came. Some hon. Members of the House immediately got some accommodation and went there and many of these Members who were allotted the Baba Kaharag Singh Marg flats vacated the flats and went to some other place— I don't know whether they got better houses and went or they could not live in Baba Kharag Singh Marg flats.

Another thing, the structure and architectural construction of the flats

is no good. There is no washing area lor utensils and clothes. We went yesterday-I just wanted to know, my wife also came with me—to see where the washing area is for utensils, the person who was . living in flat said. "You have to wash vour utensils only in the wash-basin." Madam, in Indian conditions we don'i have place where we can wash utensns. Our wash-basins. are SO we see small. They are not so big as in other countries. There is no washing area for clothes also. This is the condition of these Baba Kharag Singh Marg flats... (Interruption) ... No, I don't want to mention names— Perhaps, she got a better house and went or she didn't like the palce; I don't know what the reason is. I would only request the hon. Minister, "If you go in for flat construction, better consult god architects and see that you construct according to the needs of the people who live there. It should be constructed in such a manner. It has got big rooms; four bedroom's are there. Everything there, but the construction is not useful. I would request the hon . Minis- . tar to into consideration when take this she goes in for further construction of flats instead of houses for Members of Parliament, Thank you.

श्री मोहम्भद खलील् र रहमान (आन्ध्र प्रदेश): मैंडम वाइस चेंधरमैन, द पब्लिक प्रेमिसेज (इविक्शन आ़फ अनअशराइण्ड आक्यूमेंटस्) अमेंडमेंट बिल, 1992 की मैं नाईद करता हं कि इस वजह से यह कासूनी जरूरत है और मौजदा हालत में बहुत बरूरी है कि यह बिल पास किया जाए मगर मैं आनरेबुल मिनिस्टर से पूछना चाहूंगा कि पानी सिर से ऊंचा होने के बाद आप यह बिल लाई हैं।

1971 में यह एक्ट बना था, गोया भाज से 21 साल पहले । इस अर्स में कई ऐसे सजायज कब्जाहार इन विल्डिंग में भा गये । मगर इसके आवजूद, 21 साल तक भाष कैठे रहे । भव अंक कि मसला इतहाई टेढा और पेचीदा हो गया है तो यह बिल लाया गया है । खैर दे_र श्राये दुस्तत श्राये । एक श्रन्छा बि है और इसलिए में इस बिल की ताहिद करता है ।

यह जो बिल लाया गया है खास तौर से स्टेट गवर्नमेंट के ऐसे प्रेमिसेज जो कि दिल्ली या यूनियन टेरीटरीज में है और स्टेट गवर्नमेंट का कानून यहां पर लागू नहीं होता, लिहाजा स्टेट गवर्नमेंट्स का एक जमाने से मतालबा था कि इस कानून में इस एक्ट में अमेंडमेंट लाया जाए और फिर स्टेट गवर्नमेंटस को भी इस बात का अस्तियार दिया जाए कि यहां पर उनके जो प्रेमिसेज हैं वो उन प्रेमिसेज को खाली करा सकें

इतिहाई कीमती जायदादे यहां पर स्टेट गवर्नमेंट्स की है**ा मिसाल के** तौर पर में ब्रान्ध प्रदेश की ही बात करूंगा। जो यहां का हैदराबाद हाऊस है बह इस वक्त मिनिस्ट्री ग्राफ एक्स्टर्नेस ग्राफ़ेयर का न[्]बर एक मेस्ट हाउस_े है_ं बल्कि से यह कहंगा कि राष्ट्रपति भवन ग्रीर पार्लियामेंट हाउस की विल्डिंग के बाद जो सबस बेहतरीन बिल्डिंग इस वस्त दिल्ली में है वह हैदराबाद हाउस की है। यह स्टेट गवर्नमेंट की प्रापर्टी में है मगर इसके बाबजुद सेंट्रल गवर्नमेंट अन-ग्रशराइज्ड तरीके से उस बिल्डिंग पर काबिज है। मैं प्राप से दरखास्त करूंगा कि जितनी जल्दी ही सके फौरन हैदराबाद हाउस को श्राप स्टेट गवर्नमेंट के हवाले कर दीजिए ।

सैर तोल्लक लिटिंगेशन चल रहे हैं। मगर कानून बनाने के बाद, में समझता है कि स्टेट गवनमेंट को यह हक मिल जीएगा कि वह हैंदराबाद होऊस को तिस्तिया करा सके। यह बहुत ग्रन्छ। कानून है।

फिर दूसरी बात, जैसा कि गैस्ट भ्रकामोडेशन के ताल्लुक से कही गई है, यह जनरल शिकायत है और यह दिल्कुल सही है कि बाज ऐसे लोग किसी न सिसी बहजह से, जीमारी की कजह से, विज्ञा

[श्रीमोहम्मद स जिलुर रहमान]

को तालीम की बजह से, वह एम०पीज० से बैस्ट अकामोडेशन एक-दो महीने के लिए हासिन कर लेते हैं, या ज्यादा से ज्यादा तीन महीने के लिए अकामोडेशन ले लेते हैं। मगर इन्तहाई अफतोस की बात है कि बीन महीने तो छोड दीजिए हैं के -दो साल गुजरने के वाबजूद भी वह विकित्स से वाज हो साल नहीं करते। तो उसके लिए कुछ एम० पीज० की पोजीशन भी बड़ी आकार्य होती है भीर ताब ही साथ सबनमें के की पीजीशन भी बड़ी आकार्य होती है भीर ताब ही साथ सबनमें के की पीजीशन भी बड़ी आकार्य होती है।

🥶 महोत्रमा, जिसने भी क्कायाजात रहेंगे, इस उसी एम०पी० के नास पर भायेंगे. जिस एम०पी० ने दस्तखत करके गेस्ट प्रकामोडेशन दिया है संगर माखिर उसको खाली करवाने का भी तो कोई जरिया होना चाहिए। श्रव सिवाय इसके कि सिविल कोर्ट में जाएं और सूट फाईल करें, भौर जैसा कि बाप भाज्छी तरह से जानते हैं कि अगर एक इका सिविस कोर्ट में जाएँ, तो छह साल लग जाते हैं और जिस मकसद के लिए मुकदमा दायर किया जाता है बह मक्सद ही फौत हो, जाता है।

लिहाजा इसके लिए जरूरी है कि इस प्रोबीजन के तहत जब कि यह प्रमेंड-मेंट पास हो जाएगा, जोतो खूद हुकूमत की इस बात का प्रक्तियार होगा कि वह समरी ट्रायल के बाद उसको खाली करवा सके । मगर मेरी यहां एक सजेशन धानपेरेबल मिनिस्टर से यह है—में ब्रान-रेबल मिनिस्टर की त्वज्जह चाहूंगा, मैंडम चार्म में भ्रापकी त्वज्जह चाहूंगा—आपने यह कहा है कि—

"As a coralary to the summary fviqti-Qn procedure, it is proposed that no appeal should be allowed against the order of eviction passed after summary procedure."

मेरी दरक्वास्त यह है कि अयर आप धर्मील का हक नहीं देंगे, तो यह नेषुरल अस्टिस के खिलाफ़ सत्त बाएनी । लिहाजा, मैं प्रापसे दर्खास्त करूंगा कि प्राप प्रपील का हुन जरूर दीजिए।

Amdt. Bill, 1993— Passed

दूसरी बात सह है कि चौबीस घंटे के नोटिस का जो बात कही गई है, यह भी बेक्चुरल बस्टिस के खिलाफ है में आपसे दर्खांस्त करूंगा कि बजाए चौबीस घंटे के सात दिनों का टाइम दिया जाए।

इन चंद्र सम्बंध के साथ से फिर एक दफा इस बिज की ताईद करता हूं भीर जो सुझे टाईम दिया गया है, उसके जिए में मापका शुक्रिया ग्रदा करता हूं।

مرم والسرجيرين " ري به كس بردين المراب المرابي المرابي المراب المرابي المراب المرابي المراب المرابي ا

^{†[]} Transliteration in Arabic.

مبدرة بادماؤس كوآب الطيف كالمختف

توكوني ذريعيه مهذما جاستني اب

rtsed Oceupants)

Passed

Amdit. Bill, 1992-

"As a corollary to the summary eviction procedure, it is proposed that no appeal should be allowed against the order of eviction passed after summary procedure.'

Passed

SHRI JAGMOHAN (Nominated): Madam Vice-Chairman, you thank I will very much. mention very briefly a few points. The need for the Bill is obviously there, and I support it. But one thing I would like to mention from my experience is that passing of a law is one thing and its implementation is totally another thing. So, many laws have been passed in regard to the land encroachments, unauthorised occupation, etc., but no law has been effectively implemented and we see lakhe and lakhs of places in unauthorised and illegal occupation. Why is it so? It is because of lack of respect for the law that has developed in the country. If you occupy illegally something then the feeling is that you will get it regularised. It will be all right. If the executive is very firm then you can always get relief from the judibiary. You may laws but the jurisdictio of the pass civil court, though restricted', is there. The jurisdiction of the civil court is used in all civil matters like this and in prosecution proceedings. But you will And always the courts are interfering, Issuing stay orders, whether you go in writ petition or in some other manner, and for years together the cases will not get settled. My suggestion in this regard is that, apart from showing a firm will, you will have to take a decision to introduce a judicial audit. There should be a commission comprising- retired Chief Justices. like

our Comptroller and Auditor General, we can have a Comptroller and Auditor General for the judiciary. Why don't you do that so that judiciary acts in a responsible) way? It is not an interference in the judiciary. Suppose, I am the controller. I can go and see a file of the court, whether the court has interfered in a proper and just way. I know, in Delhi, thousands of stay orders have been given without even asking whether you have got the plan sanctioned from the Corporation, without even asking whether you have applied for it The stay order is given and it stays for years together and in the meanwhile manipulation goes on, pressure develop but nothing is done. Why should the jurisdiction of the civil court, facilitate these types of things?

Every organ of the Government, every organ of the society must function in a responsible way, if you really want to have the results. If you come with me in the courts, I can show you hundreds of files which are being dealt with in an improper manner where the maturity and responsibility that is expected of the judiciary is not being shown. Therefore, this is the crux of the problem. Let us not sidetrack this issue. Another suggestion which I would like to make is, when a person is occupying unauthorisedly supposing 'X' or some high official—it should be made clear that, irrespective of the stay order, irrespective of whatever reason he may have for continuing, penal rent will have to be paid. After every week rent should be doubled. Even if you are able to get a stay order and the house is vacated after six months, you will have to pay that much extra rent. So this will act as a disincentive. These are the practical ways by which you can really solve the problem of getting your premises vacated and seeing that the right person gets the allotment. Now-a-days the issue is, somehow or other, you put pressure and get a stay order and get so many other things and nothing will happen.

PROF. SAURIN BHATTACHA-RYA (West Bengal); I was at first unable to believe my eyes that this lady was able to bring such a harsh law for eviction of people. Now, from the discussion, the enormity of the problem has very much been appreciated] Servants' quarters, MPs' quarters, ex-MPs' quarters, ex-Min-isters quarters, everything has come. As I could see, the amendment relates temporary to occupation for a period rot beyond one month-somethink like that-for which eviction process has been laid down. This is an amendment Bill. Therefore, other provisions are definitely there. But the previous speaker, Jagmohan, was, of course very correct. He repeated an old saying in a different language. Foreign Economists marked that India is a country where there is no dearth of law, where there are all types of social legislation, but no implementation. The unauthorised occupants are comfortable in the belief that even after such an amendment Bill, such epoch-making amendment, the situation will more or less continue to be the same. Just today I heard something which practically struk dumbfounded. Someone had come vesterday to ask for Subscription for some Pooja. I was told that he was threatening. Earlier he was satisfied with Rs. 10. I remained alone in the house, therefore, I used to pay him Rs. 10. Now, he is demanding Rs. 101. Who these people? They live in Jhuggijhompris around the MP's quarters on Ferozshah Road and there is nothing to This is not the only prevent them. problem. There are servant's quarters and the problem was related by Mr. Swaminathan. MPs are sometimes completely unaware that there are so servants. somehow or the other many they occupy them. The House says that it is hot possible Committee for, them to hand over the servants' quarters. These are all very peculiar problems which are related to this question. So far as the limited purpose of the

(Eviction of Unautho-

[Prof. Soumen Bhattacharya]

Bill is concerned Mr. Santosh Kumar Sahu has very rightly raised the question of cheap accommodation for the bulging population of the capital. There are other related problems which require urgent attention and my only expectation would be that our soft-hearted Didi would deal with these problems also. Thank you.

SHRIMATI SHEILA KAUL: dam, I am grateful to the hon. Members who have participated in this discussion this afternoon. Some of the hon. Members have given very good suggestions. I am obliged to them that they have all agreed in principle with, the Bill which has been brought. The Bill is going to (facilitate the Members their and guests because now if they have one guest staying in one premises or in the Western Court for 5,6 or 10 days, the next guest can also come permanent guest If there is a staying there for months and months, then the hon. Member will have only one guest staying therein that room. Now, more friends of hon. Members, more number of guests,, can come to Delhi for treatment or for whatever purpose they want. Bill which has been brought here is for General Pool and MPs' houses are not included in this. It only covers guest-houses and temporary allotments. This has to be borne in mind that this is only for temporary allotments and not for permanent residence of over 6 It does not include the houses years. where hon. Members or Ministers So, in respect of this we have to live. find! out ways and means in the case of houses that are found to be sublet. Occasionally inspections conducted and if it is found that the house has been sub-let-then evictior takes place and the allottee concerned, for the rest of the term will no be allowed to live in that house. 4 p.m. And there are penalties for people..

> **SHRI SIKANDER BAKHT**

(Madhya Pradesh): Doesn't this Bil

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cover those houses where the MPs" have overstayed?

THE VICE-CHAIRMAN (SHRI-MATI JAYANTHI NATARAJAN):

SHRIMATI SHEILA KAUL; No; I will come to that also. And for this summary procedure, there is no appeal to civil courts. Only High Court has jurisdiction in this. Now, Kaldateji has

The Vice-Chairman (Shri Jagesh Desai, in the Chair).

The State Government premises including the Delhi Union Territory premises will be adminisetred by Estate Officers appointed by the Central Government on the recommendation of the respective State Governments. The amendment will help to evict unauthorised guests of MPs also and relieve them of payment of charges. Then the amendment covers only temporary accommodation, as I said before, and for regular allot-ment there is no charge proposed.

My other friends have given some good suggestions. I would like to thank Mr. Vishvjit P. Singh—he has also gone—for giving us a very useful information which, I must say, I did not possess myself. My office must have had it. But he has got it. He is quite right when he says that we should have more houses and other Members have also suggested that.

SHRI VISHVJIT P. SINGH: I am very sorry. The TV monitors were showing the result. They were not showing as to who was speaking. That is why I got late.

VICE-CHAIRMAN JAGESH DESAI): She was saying that you have given a very good suggestion.

SHRIMATI SHEILA KAUL: Actually, we did construct Type IV flats numbering 256 at Andrews Ganj. But as soon as they were ready, so

rised Occupants) Amdt. BUT, 1992-Passed

many of them demanded and they were taken away like hot cakes. So, to say that we are not constructing is not correct. We are doing the job. But it is difficult to get and other finance things. And constructing of more houses is not covered in this Bill. But it is in our

Some Members said that we must have more bhawans and that the State Governments must construct more bhawans here. Some are doing this and some have asked for more land and we are providing them with land. If they come forward and ask for it, we shall try to help them.

A mention was made about the flats on Baba Kharak Singh Marg I also went round to see them. I found them very satisfactory. There are three bed rooms, one guest room, a combined drawing and dining room. They are very nice and very comfortable. Well, if you want to scrub your utensils sitting-down, then it is a different thing. There, I think, we can have a small suggestion. One tap can be fixed at the top and another tap can be down so that anybody washing the utensils can sit down and do the! job. This suggestion can be considered at the time of future construction We have our own way of living and we do not want to impose our way of living on others.

This amendment will help us to evict unauthorised guests of MPs also and relieve them to payment of charges, as I said before. Do you want me to reply to any other question?

SHRI V. NARAYANASAMY (Pondicherry): What about unauthorised constructions?

SHRIMATI SHEILA KAUL: नहीं यह तो दूमरी चीज है।

This is a different thing. You have not studied the Bill.

SHRI V. NARAYANASAMY: Madam, I went through the Bill.

You know that in Delhi, in many areas, a of unauthorised and illegal constructions and encroachments are going on That aspect also comes under your Ministry and you are answerable for that.

SHRIMATI SHEILA KAUL: Sir, many honourable Members have spoken on this Bill and have given their suggestions. His suggestion can be considered when I place the National Housing Policy before the House.

SHRI V. NARAYANASAMY: That is right.

SHRIMATI SHEILA KAUL: Sir, I am grateful to the honourable Members for having given me their thoughts and ideas and I hope that we would be able to do our job with their kind help. Mr. Kaldate said that it was no use doing this unless we all got together to implement the whole thing. We must have the desires and the will to do this and only then we can have it done.

With these words, Sir, I commend the Bill for the consideration of the House.

SHRI ASHIS SEN: Sir, I wanted to have a clarification. Even after her reply, one point remains. Sir, I have tabled an amendment. I do not want to give unbridled power to the Estate Officer because there is always the likelihood of its being misused. That is why I have tried to persuadle the Minister to have the four words "is of the opinion" replaced by the words "finds on the basis of facts and documents". I would request the honourable Minister to give a favourable response to this.

I also have mentioned incidentally —it has nothing to do with this Bill—about the payment of dues for buildings in Calcutta. Of course, that is a separate matter.

SHRIMATI SHEILA KAUL; Really I cannot catch his point.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI). You can consider it at the time of moving the amendments. Now, I will put the motion to vote.

The question is:

"That the Bill further to imend the Public Premises (Eviction of Unauthorised Occupation) Act, 1971, be taken into consideration."

The motion was adopted.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): We shall now take up clause-by-clause consideration of the Bill.

Clause 2 was added to the Bill.

Clause 3—Insertion of new section 3A.

SHRI KRISHAN LAL SHARMA (Himachal Pradesh): Sir, I beg to move:

'That at page 3, *after* line 9, the following proviso be *inserted*, namely:

"Provided that the entire process of eviction from temporary occupation of any public premises shall not exceed thirty days from the date of expiry of the period of allotment, including the extended period, if any."

The question was proposed.

श्री हु. स्राल समा : उपसभाव्यक्ष महोदय, मैं एक छोटा संशोधन रखना बाहता हूं । कई फिल्लों ने कहा भी है कि बैसे तो हमने धारा-3ए में यह प्रावधान दिया है कि बौबीस घंटे का पहले नोटिस दिया जाएगा । जब उमका समय खत्म हो जाएगा या उसका जो एक्सटेंडेड टाइम है वह भी खत्म हो जाएगा, नेकिन बीच में कुछ ऐसी बातें हैं, जो इस्टेट प्राणितर

है वह उनके घर जाए। वह कब जाएगा, कितना समय लेगा, कीन सा टाइम फिक्स होगा इसके लिए कोई प्रोविजन नहीं है? फिर उसके सेटिसफेक्सन का सावल है। इसमें वह कितना टाईम लेता है, इसके बारे में अधाप दोनों बार हमने यह कहा है कि हम चौबीस घंटे के अंदन निरीक्षण का आईर पास करेंगें। लेकिन बीच में ऐसा अबूना है कि जब तक हम उसको हर नहीं करेंगे तब तक उसका लाभ नहीं होगा और इसलिए मैंने अवना समेंडमेंट पेश किया है। मैं मंत्री जी से अन्रोध करूगा कि वे इस पर विचार करें।

SHRIMATI SHEILA KAUL Well, he has given his viewpoint. I do not think I have to say anything now.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): Mr. Sharma, she will consider it in future You are insisting on your amendment?

SHRI KRISHAN LAL SHARMA: At least some assurance from the Minister is necessary because we take so much time and there is no provir sion to see that we try to finish all the processes within thirty days or so.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): She has assured that she will look into it. I think, you should be satisfied with that.

SHRI KRISHAN LAL SHARMA: Okay. I am not insisting on my amendment.

The amendment was, by leave, withdrawn.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI). I shall now put Clause 3 to vote. The question is:

"That clause 3 stand part if the Bill."

The motion was adopted.

Clause 3 was added to the Bill.

Clause 4 was added to the Bill.

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

SHRIMATI SHEILA KAUL: Sir, I beg to move:

"That the Bill be passed."

The question was put and the motion was adopted.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): We shall now take up the Indo-Tibetaa Border Police Force Bill, 1992.

THE INDOTIBETAN BORDER POLICE FORCE BILL, 1992.

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS AND THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI M. M. JACOB): Sir, I beg to move:

"That the Bill to provide for the constitution and regulation of an armed force of the Union for ensuring the securities of the borders of India and matters connected therewith, be taken into consideration."

Sir, as the House is aware, the Indo-Tibetan Border Police was raised in October, 1962 in the wake of Chinese aggression on our Northern borders. The Force was conceived as an .integrated unconventional Gueiil-lacum-intelligence-cum-fighting primarily in meant to operate the inhospitable, wild and vertical world of the Himalayas. Since its inception, it has been mainly deployed ahead of Army defences in the remote areas of Northern borders at altitudes of 9,000 to 19,000 ft. above the sea level in the States of Jammu and Kashmir, Himachal Pradesh and Uttar Pradesh. It has been discharging it's role, including border surveillance, effectively. Moreover, during

the past three decades it has also acquired a rich experience in the fields of high risk VVIP security duties, banks security duties and in anti-terrorist operations in States like Jammu & Kashmir and Punjab. The specialisation acquired by ITBP has accorded it a recognisable identity of its own.

The ITBP, since its raising, is being governed by the provisions of the CRPF Act, 1949 and the CRPF Rules, 1955 as amended from time to time. However, the role of ITBP is distinct from that of CRPF, as it includes providing a sense of security to the population living on the borders, con trolling trans-border traffic, ensuring effective border surveillance functioning under the operational control of the Army as may be re quired in senstive areas. This role demands legal provisions of a nature somewhat different from those requir ed by the CRPF. This is the back ground in which the Indo-Tibetan Borer Police Bill, 1992 has been in troduced. A separate Act would also impart a sense of pride and recogni tion to the ITBP personnel. With these words I commend this Bill to this august House for appro. val

THE VICE-CHAIRMAN (SHRI JAGESH DESAI); There is one amendment by Shri Krishan Lai Sharma for reference of the Bill to the Joint Committee of Parliament.

भी कृष्ण शास समां (हिमाचल प्रदेन):
उपसभाध्यक्ष महोदय, मैं प्रस्ताव करता
है कि इम बिल को दोनों सदनों की संयुषत
समिति को रेकर किया जाए । जैसा कि
प्रशी बनाया गया यह बहुन बड़ा बिल है
157 कक्षाजेज हैं, 30 साल के बाद वह
बिल लावा जा रहा है और मुझे लयता
है कि इस पर और विस्तृत विपार होना
चाहिए और जल्दी बाजी में इसकी पाम
नही करना चाहिए । मीस साल के बाद
यह बिल लाया जा रहा है और फिर
प्रध्रा रह जाए यह उचिन नहीं है ।
इस लिए मैं अपना संभोधन दे रहा ह