

SHRI R. RAMAKRISHNAN: We are prepared to cooperate with what the Leader of the House has said. You take up according to the printed List of Business.

MR. DEPUTY CHAIRMAN: In this way, no House can be run.

SHRI DIPEN GHOSH: We have accepted the suggestion of the Leader of the House. We accept his suggestion.

MR. DEPUTY CHAIRMAN: You finish the Bills up to 4-30 P.M. The discussion will be taken up after 4-30 P.M.

SHRI KALYAN ROY: Are we adjourning the House at 4-30?

MR. DEPUTY CHAIRMAN: As nobody is prepared to speak on the motion moved by Shrimati Ram Dulari Sinha...

SHRI DIPEN GHOSH: This cannot be allowed to be done. It was the suggestion of the Leader of the House to go according to the printed Order Paper.

श्री सुशील चन्द महन्त : उपसभापति जी, इस तरह जबरदस्ती और सीनाजोरी से जो आप हाऊस चला रहे हैं... (व्यवधान)

श्री उपसभापति : बैठिये, बैठिये।... (व्यवधान)

श्री सुशील चन्द महन्त : जी, हालत की क्या रहें हैं... (व्यवधान)

श्री उपसभापति : अच्छा, आप बैठिये।... (व्यवधान)

श्री सुशील चन्द महन्त : मैं हाऊस का स्थान करता हूँ।

SOME HON. MEMBERS: In protest against this, we walk out.

[At this stage, some hon. Members left the Chamber]

THE PUNJAB STATE LEGISLATURE
 (DELEGATION OF POWERS) BILL
 1984 (contd.)

MR. DEPUTY CHAIRMAN: Shri Mohanan, not here Shri L. K. Advani, not here. Shri B. Satyanarayaa Reddy, not here.

The question is:

That the Bill to confer on the President the power of the Legislature of the State of Punjab to make laws, as passed by the Lok Sabha, be taken into consideration/

The motion was adopted.

MR. DEPUTY CHAIRMAN: Now we take up clause-by-clause consideration of the Bill.

Clauses 2 and 3 were added to the Bill.

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

SHRIMATI RAM DULARI SINHA: Sir, I move:

'That the Bill be passed.'

The question was put and the motion was adopted.

• SHRI R. RAMAKRISHNAN (Tamil Nadu): What has happened is not a good thing.

MR. DEPUTY CHAIRMAN: You ask your friends who are sitting on that side. Don't teach others.

(I) THE DELHI MUNICIPAL CORPORATION (AMENDMENT) BILL, 1984.

(II) THE PUNJAB MUNICIPAL (NEW DELHI AMENDMENT) BILL, 1984.

(III) THE DELHI DEVELOPMENT (AMENDMENT) BILL, 1984.

(IV) THE PUBLIC PREMISES (EVICTION OF UNAUTHORISED OCCUPANTS) (AMENDMENT) BILL, 1984.

MR. DEPUTY CHAIRMAN: Now, we take up the four Bills.

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRIMATI RAM DULARI SINHA): Mr. Deputy Chairman Sir, I beg to move;

That the Bill further to amend the Delhi Municipal Corporation Act, 1957, as passed by the Lok Sabha, be taken into consideration."

Sir, the problem of encroachments on public land and unauthorised constructions in Delhi has been causing concern. It is a matter of regret that such encroachments have also been a hindrance at times in the implementation of the Master Plan and the planned development of the Territory. The local authorities have been finding it difficult to tackle this problem effectively despite efforts made in this direction. They have pointed out that the existing provisions of the law do not act as sufficient deterrent to check unauthorised construction and at times they have particularly pointed out that unscrupulous persons are circumventing the provisions of the existing law and continue to make unauthorised constructions under the cover of stay orders obtained from the courts. Accordingly the Government "has brought forward the Delhi Municipal Corporation (Second Amendment) Bill 1983, along with the Punish Municipal (New Delhi Amendment) Bill, 1983, the Delhi Development (Amendment) Bill, 1983 and the Public Premises (Eviction of Unauthorised Occupants) Amendment Bill, 1983, which have been separately introduced in the House to make legal provisions, to deal more effectively, -with the problem of encroachments on public land and unauthorised constructions in Delhi.

The Delhi Municipal Corporation (Second Amendment) Bill, 1983, provides among other things for the following changes in the Act namely:

(i) To give the Commissioner the power to seal unauthorised erection

or work or of the premises in which such erection or work is being carried on or has been completed. Such seal can be removed only, by the Commissioner for the purpose of demolition of such erection or work or in pursuance of an order made by the Appellate Tribunal or the Administrator of the Union Territory of Delhi in an appeal made under the provisions of the Act;

(ii) To provide for appeals against certain notices issued or orders made under the provisions of the Act' to an Appellate Tribunal, and to provide for the constitution of the Appellate Tribunal, or Tribunals for the purpose of hearing such appeals. Further appeal against the orders of the Appellate Tribunal, would lie to the Administrator of the Union Territory of Delhi. Orders on such appeals will be final and no Civil Court shall have any jurisdiction;

(iii) To change the penalty of fine now specified for certain offences under the Act to include imprisonment also, and to make some of the offences cognizable;

(iv) To make certain other changes of a consequential and minor nature;

(v) In respect of certain offences, the amendment seeks to enhance the punishment. In order to obviate likelihood of harassment, the power to launch prosecution in such cases will be exercised by an officer now below the rank of Deputy Commissioner.

Sir, this Bill was generally welcomed in the other House. I hope that this Bill will be welcomed by all sections of this House. I commend this Bill to the House, for its consideration and acceptance.

Sir, I also move :

"That the Bill further to amend the Punjab Municipal Act, 1911, as in force in New Delhi, as passed by the Lok Sabha, be taken into consideration."

(Amdt.) Bill, 1984

While moving the motion for consideration and passing of the Delhi Municipal Corporation (Second Amendment) Bill, 1983, I explained the need for amending the law in order to tackle effectively the problem of encroachments on public land and unauthorised constructions in Delhi.

Accordingly, the Government has brought forward the Punjab Municipal (New Delhi Amendment) Bill, 1983 along with the Delhi Municipal Corporation (Second Amendment) Bill, 1983 the Delhi Development (Amendment) Bill, 1983 and the Public Premises (Eviction of Unauthorised Occupants) Amendment Bill, 1983, which have been separately introduced in the House, to make legal provision, to deal more effectively with the problem of encroachments on public land and unauthorised constructions in Delhi.

The Punjab Municipal (New Delhi Amendment) Bill, 1983 mainly provides for the following:

(i) To give the New Delhi Municipal Committee the power to seal the premises under unauthorised construction. Such seal can be removed only by the Committee for the purpose of altering or demolishing such building or in pursuance of an order made by the Appellate Tribunal or the Administrator of the Union Territory of Delhi in an appeal made under the provisions of the Act.

(ii) To provide for appeals in cases relating to encroachment on public lands, unauthorised constructions and similar matters in New Delhi which shall lie to Appellate Tribunals and not to Civil Courts.

(iii) To change the penalty of fine now specified for certain offences under the Act to include imprisonment also and to make some of the offences cognizable.

(iv) To make certain other changes of a consequential/minor changes.

(v) In respect of certain offences, the amendment seeks to enhance the punishment. The amendment seeks to enhance the punishment. In order to obviate the likelihood of harassment, the power to launch prosecution in such cases will be exercised only by officers not below the rank of the Secretary to the New Delhi Municipal Committee.

Sir, this Bill was generally welcomed in the other House and I hope that this Bill be welcomed by all sections of this House.

Sir, I commend the Bill to the House for consideration and acceptance.

The questions were proposed.

THE DEPUTY MINISTER IN THE DEPARTMENT OF SPORTS AND IN THE MINISTRY OF WORKS AND HOUSING AND IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI MALLIK ARJUN); Sir, I beg to move;

"That the Bill further to amend the Delhi Development Act, 1957, as passed by the Lok Sabha, be taken into consideration."

Sir, I also beg to move:

"That the Bill further to amend the Public Premises (Eviction of Unauthorised Occupants) Act, 1971, as passed by the Lok Sabha, be taken into consideration."

Sir, the Delhi Development (Amendment) Bill, 1984 and the Public Premises (Eviction of Unauthorised Occupants) Amendment Bill, 1984, alongwith the Delhi Municipal Corporation (Amendment) Bill, 1984, the Punjab Municipal (New Delhi Amendment) Bill, 1984, have been passed by the Lok Sabha and transmitted to the Rajya Sabha. These Bills are intended to make legal provisions to deal more effectively with the problem of encroachments on public land and unauthorised constructions in Delhi.

[Shri Mallikarjun]

The situation about encroachments and unauthorised constructions in Delhi has been causing concern as the local authorities have been finding it difficult to tackle it effectively despite efforts made in this direction. It has been pointed out by the local authorities as well as the Delhi Administration that the existing provisions of the law are not acting as sufficient deterrent to check unauthorised constructions and encroachments on public land. They have particularly pointed out that unscrupulous persons are circumventing the provisions of the existing law and continue to unauthorised constructions under the cover of stay orders obtained from the courts. It is for this reason that the Government has brought forward the Delhi Development (Amendment) Bill and the connected three Bills as mentioned above.

Sir, the Delhi Development (Amendment) Bill mainly provides:

(i) that unauthorised construction be made cognizable offence, providing for punishment (a) of rigorous imprisonment up to three years for setting up an unauthorised colony without a layout plan sanctioned by the competent authority, and (b) simple imprisonment up to six months or fine up to five thousand rupees or both for individual cases of unauthorised construction;

(ii) that construction materials and other aids being used in unauthorised constructions be seized;

(iii) that the premises under unauthorised constructions be sealed; and

(iv) that appeals in cases relating to encroachment on public lands, unauthorised construction and similar matters in Delhi shall be to Appellate Tribunals and not to the Civil Courts.

Sir, I am sure that the House will appreciate the need for these legislative provisions.

Sir, I move that the Bill as passed by the Lok Sabha be taken into consideration and passed.

Sir, the Public Premises (Eviction of Unauthorised Occupants) Act, 1971, was enacted mainly to provide for speedy and summary eviction of unauthorised occupants from public premises, recovery of rent or damages in respect of public premises and for certain incidental matters.

Of late, cases of unauthorised occupation in public premises, especially in the Union territory of Delhi, had been in the increase. It has been the experience that the existing provisions of the law are not effective to remove unauthorised occupants from the public premises. The Government has, therefore, brought forward the Delhi Development (Amendment) Bill, 1984 the Delhi Municipal Corporation (Amendment) Bill, 1984, the Punjab Municipal (New Delhi Amendment) Bill, 1984, and the Public Premises (Eviction of Unauthorised Occupants) Amendment Bill, 1984. While the provisions of the first three amendment Bills extend to the Union Territory of Delhi/New Delhi, the provisions of the last Bill extend to the whole of India.

The following are the salient features of the Public Premises (Eviction of Unauthorised Occupants) Amendment Bill, 1984:

(i) Under the existing provisions, the estate officer is required to make an order directing the demolition of unauthorised construction within a period of not less than seven days or more than fifteen days to be specified in the order and no such order shall be made unless the person concerned has been given a show-cause notice. It is proposed to delete the provision regarding the reference to the specific period to be mentioned in the order for demolition and to provide only for a period of not less than seven days for the show-cause notice.

(ii) It is proposed to empower the estate officer, at any time before or

after making an order of demolition of unauthorised construction, to make an order to direct the sealing of any unauthorised construction. The sealing of such unauthorised construction in pursuance of an order made by the estate officer can be removed only by him for the purpose of demolishing such construction or in pursuance of an order made by the appellate officer in any appeal made under the provisions of the Act. A provision for appeal against the order of sealing by the estate officer to the appellate officer has also been included.

(iii) It is proposed to create a new offence of unlawful occupation on any public premises and to make it punishable with simple imprisonment for a term which may extend to six months, or with fine which may extend to five thousand rupees, or with both. Opportunity has also been availed to increase the penalty by way of fine now provided for occupying a public premises by an evicted person without authority for such occupation. It is also proposed to make the offences under the Act cognizable. A person can be arrested, however, only on the complaint of, or upon information received from, certain specified officer.

I move that the Bill, as passed by the Lok Sabha, be taken into consideration and passed.

MR. DEPUTY CHAIRMAN: All these four Bills will be taken toge-there.... •

The questions were proposed

SHRI R. RAMAKRISHNAN (Tamil Nadu): Mr. Deputy Chairman, Sir, all these four Bills I welcome.

I have the honour to belong to the All-India DMK. We are an Opposition party here and also the ruling party in the State. Sir, it is a very sad thing what has happened now. Sir, Dr. Radhakrishnan, who was occupying the very seat where you are sitting, once remarked that Parliamentary democracy is a form of

Government which must enlighten the people and rule the people by discussion and debate. We do not want to oppose anything for the sake of oppo-sition. That is the only reason why We have not walked out or left the Chamber along with other Members. At the end of another otherwise Session it is rather unfortunate that both the Leader of the House as well as others got agitated for no reason or rhyme. Some points were raised and they could have been sorted out in a peaceful manner. But in the heat * of the moment, so many issues got confused, so much so that, unfortunately, the Punjab Bill and other important Bills are being just passed in a road-roller manner—may be because of the fault of the Government or anything like that. This makes the functioning of Parliamentary democracy itself a mockery. So, I would only appeal, while extending support to these four very useful Bills, to see that this sort of thing does not ' take place. The States have sent their representatives to the Council of States with the hope that their Members will discharge the duties and tasks which are enjoined upon them. Now, because of some minor matters if the business of the house is to go on in this fashion, what is the use of having Parliamentary democracy? Sir, this should be an objective lesson for all of us, whether in the Government or in the Opposition, to sit and think calmly over what we are doing, and there should be a spirit of give and take on both sides. Then only Parliamentary democracy can become meaningful.

With these few words, I appeal to the leaders and my colleagues—even now it is not too late; what has happened has happened—to come and sit think calmly and see that these sort of things are not repeated again.

With these words, I support the Bills. Sir.

MR. DEPUTY CHAIRMAN: Dr. Shanti Patel... Not here: Shri

[Mr. Deputy Chairman]

Sukomal Sen... Not here; Shri C. Lakshanna... Not here. Shri S. P. Mitra.

SHRI SANKAR PRASAD MITRA (West Bengal): Mr. Deputy Chairman, Sir, I am not aware of what transpired in your presence between the leaders of different parties and the Leader of the House and I am not in a position to make any comments with regard to the matters raised by Mr. Ramakrishnan, one of our distinguished Vice-Chairmen.

So far as these Bills are concerned, they seem to be Bills intended for better administration of the parent Acts and tightening up the implementation of those Acts. But I would like to make a few comments on the parent Acts themselves.

Sir, unauthorised constructions and encroachments are taking place. Why are they taking place? They are taking place mainly due to the exodus of the people from the rural areas to the city of Delhi. This exodus is on account of economic reasons *i.e.* absence of employment facilities in the areas from which they come. Certain figures have been published in newspapers from time to time. It was stated that up to 1977, the hon. Minister can correct me on these figures if I am wrong because I have collected the figures from newspapers, 607 unauthorised colonies had come up in Delhi. It is reported that 47,000 hectares have been acquired and 42,000 hectares of land have been developed. Arrangements have to be made for the accommodation of 20 lakhs of incoming people. It is reported further that 2,25,000 plots have been given away by the DDA. Then we find, from time to time, various reports on the Rohini Scheme taken up by the DDA which, we are told, would accommodate 10 lakhs of people. It would have Janata flats, L.I.G. flats, M.I.G. flats and Higher Income

Group flats. But often we read in the news papers that these flats are built with inferior materials and they often tend to collapse. I want to know what steps are intended to be taken to maintain strict supervision over the construction of these flats by persons engaged to build them.

Then, I find from the newspapers that the D.D.A. has allotted 1,07,000 plots and that there were about 1,10,000 Houses and Group Housing Societies had about 60,000 dwelling units. With all the efforts already made, which are undoubtedly laudable, will the exodus to Delhi, particularly from the neighbouring States of Haryana, Rajasthan and U.P. stop? It cannot be stopped, Sir, by passing stringent laws and by prescribing deterrent punishment as have been provided for in these laws until an economic solution is found. We were told at one stage that an authority would be constituted to see how to meet the increasing growth of population in the outer periphery of Delhi. I want to know when that authority would be constituted, what powers that authority would be vested with and whether there is any scheme on a purely humanitarian ground to stop this influx from the neighbouring States in particular?

Another problem is arising. Land prices are increasingly going up owing to auctioning of land by the authorities concerned with the result that the middle and the poorer classes of people are being deprived of opportunities of purchasing land. Lands to middle class and poorer classes of people must be available at reasonable prices, within their means. And I would like to know what steps are being taken to give land to them at prices which they can afford. These are the questions which I intend to put to the hon. Ministers concerned and I shall be obliged if they are would be enough to answer them.

With these words, Sir, I support these Bills.

SHRI DINKARRAO GOVINDRAO PATIL (Maharashtra) Mr. Deputy Charman, Sir, I rise to support these Bills with a few suggestions.

Sir, firstly, there is a need to define the unauthorised occupant. According to me, Sir, it should be defined in two categories. Firstly, unauthorised occupants are those who are 'haves', and the unauthorised occupants are those who are 'have nots'. The vested-interest people occupy unauthorised premises to gain more benefit and to become more rich by encroaching the right of a needy person. The unauthorised occupantg are not only - in Delhi, but also all over India, including the big cities like Bombay and Calcutta. Rich persons occupy unauthorised premises for industrial purpose and seocndly for having more property of land though they have their own lands. In fact, these persons should be asked immediately to vacate the unauthorised premises. And so the amendmets should be made imposing more restrictions on them. Next, Sir, the goondas also occupy unauthorised premises and they erect a number of slums. They give the slums to poor persons on rent, gaining thereby thousands of rupees of profit and they become the *dadas* of the sium areas. So, it' is also necessary to ask them to vacate the unauthorised premises immediately.

The next crucial question that stands before us is of the have-nots. These have-nots are people who are homeless. They are landless, they are shelterless, and they are unemployed poor workers. They go to any place where they get jobs and they reside there electing a small jhopat patti. They are the poor workers who are not having a there feet of space of their own for even burning their own bodies also. They are the poor persons who have not even a single pie to purchase even poison to die. Under such circumstances, it is highly impossible to purchase a small piece of land for dwelling or erecting a small

jhompli or a shop for earning their livelihood. So, my humble suggestion is that such have-nots should not be driven away from unauthorised premises but they should be given small pieces of land free of charge And they should not be driven away till an alternative remedy is provided.

Sir, my next point is in respect of the amednmets. Sir, the notice within a short period of 7 days under Section 5(D) of this amending Act is not justifiable. Within such a short period, it is highly impossible for any person—either he may be a poor person or a .rich person—to vacate the erected structure or the building, whether movable or immovable. Sir, even under the Rent Act, the period of notice for eviction is 30 days. So, the limitation of the time under this amendment be increased. Sir, my ' next point is that the amendment under Section (11), inserted under sub-section in respect of-punishment is also worth to be reconsidered because the sentence of 6 months to the unauthorised occupants appears to be severe here because even under Sections 302 and 376 of the IPC, in respect of murder and rape . . . sometimes these sentences are reduced to less than six months under some circumstance looking to the nature of the crime. So, my humble suggestion is that the sentence may be lowered down. Sir, my next suggestion to about the fine. A fine of Rs. 5,000 to a person who is unauthorised occupant in the public premises is also very heavy and unjustified. Because, Sir, in this Amendment Bill when there is a provision that a structure of fixture of the building is removed as soon as the notice is given within seven days and there is also a provision for the recovery of the cost of such removal from the person who has occuoied illegally the pubic premises as an arrear or land revenue, therefore under such circumstances imposing such a beaw amount of fine and giving such a severs sentence appear to be uniusitifiable and unrea-sonable. Therefore, my suggestion is

[Shri Dinkarrao Govindrao Patil]

that leniency in sentence and fine should be shown under this Amendment Bill.

With these words, Sir, I fully support the Amendment Bill. Thank you.

SHRI VISHWA BANDHU GUPTA (Delhi): Mr. Deputy Chairman, Sir, I am sure the hon. Members are aware that there is large-scale encroachment on public lands by cer-in persons in Delhi. In fact, the revenue of millions of rupees is being lost to the Government due to the unauthorised encroachment on public lands.

Mr. Deputy Chairman, Sir, how can we hope to have any planned development of the capital region or hope to develop Delhi as a beautiful capital of India without eviction of persons who have made these encroachments in Delhi? In fact, apart from the eviction of unauthorised occupants, steps should be initiated to requisition the premises constructed by them on public land.

Sir, with these words, I support all the Bills.

MR. DEPUTY CHAIRMAN: Shri Hashmi—not here. Yes, Mr. Bansal.

SHRI PAWAN KUMAR BANSAL (Punjab): Mr.- Deputy Chairman, Sir, I will be confining my submissions only to the Public Premises (Eviction of Unauthorised Occupants) (Amend-nt) Bill.

As we all know the encroachment public premises arises out of the human instinct to gain at the cost of the other. This is a very common experience that in all big cities, as my friend speaking before me said, various people encroach upon the public land so that acting as middlemen they take money from a good number of poor people and authorise them illegally to raise slums over there. In this case the idea behind bringing the present amendment is indeed very laudable. Regarding the

punishment which has been provided now, it is in fact for the first time that a provision is being made that if a person unlawfully occupies premises for the first time there will be a punishment of imprisonment for six months in addition to a 3 P.M. fine of Rs. 5,000. My feeling is that this provision of punishment of imprisonment for six months is in no case excessive. The legislation provides certain period of imprisonment for various offences and the courts while going into a particular case and seeing the merits of that particular case or the anticidents of the criminal have been awarding much less punishment than is really provided for, and I feel there is no cause of anxiety to say that the period of six months is excessive. If a person who is once lawfully evicted from the premises again occupies the premises for the second time, the Government has done well to increase fine in that case from Rs. 1000 to Rs. 5000 in addition to the punishment of one year which is again not the minimum, but just upto one year, which can be imposed by the court.

Only one submission I have to make regarding amendment of section 9. Section 5(c) has been now introduced in the Act and it authorises the executive officer to seal any premises or any work being done thereupon after the act of encroachment comes to notice. Regarding the appeal, provision has been made, laying down a period of 12 days for filing appeal against that order. I have a feeling that a case can arise where the executive Officer passes the order regarding sealing of a property or premises but, in fact, that ' order may not be executed and the work may continue. What I mean to say is that in such an eventuality, the person against whom the order has been passed may not know of the existence of the order. So, it will be in the fitness of things if an amendment is made saying that the period of 12 days would run from the date the premises is actually sealed. With these words I support the Bill.

SHRIMATI RAM DULARI SINHA: Sir, my thanks should go to the hon. Member Shri Ramakrishnan for supporting the Bill. Although he is a Member of the Opposition, he had no option but to support this Bill looking into the merits of the Bills. Sir, hon. Member, Shri Patil's suggestions have been taken note of. The scope of these Bills is very much limited and full thought has been given while drafting the amendments to these Bills. My thanks are also due to Shri Gupta and Shri Bansal.

SHRI MALLIKARJUN: Sir, I am extremely thankful to all the hon. Members who have participated. It is gratifying to note that all the Mem. bers who participated have extended their full support for the reason that unauthorised occupation of the land or unauthorised construction is not in the best interests of any developing city or developing country as a whole.

Some points have also been raised by the hon. Members. To Shri Mish-raji, I have to inform that as had been rightly mentioned, there were 607 unauthorised colonies by 1977. However, in order to prevent these things, the Government took a decision to regularise these colonies and out of 607, about 527 colonies have been regularised and some have been rejected and some others are in the process of regularisation. Press reports regarding acquisition of land and development of land to the order of 47,000 acres and 42,000 acres, are correct. It is noteworthy that particularly DDA is doing marvellously well, more than our expectation, for the development of Delhi city. It includes not merely construction of houses but at the same time it includes development of land and beau-tification, etc. So far as the ambitious programme of Rohini Scheme is concerned, DDA is taking all steps to see that in the Rohini Scheme, economically weaker sections, people belonging to low income group, middle income and higher income groups, will get flats. Mention was made by

the hon. Member that sub-standard material is being used in the construction. Now, a campaign is being carried on by the Press and others. This is not proper, for the simple reason that here and there such things may occur. But you cannot say that this is taking place at all times. If this is so, there is no point in having such an authority. The Delhi Development Authority is fully competent to take care of such things. They have various schemes. They also allot land to the group housing societies and so on, for the purpose of housing. As has been mentioned, under this Rohini scheme, ten lakh people are to be accommodated. Plots are being given to the weaker sections. There also, these people are allowed to pay the money in instalments.

So far as the concept of national capital region is concernd, it is in full swing. This is a perspective plan. Land will be taken for development in the adjacent States of Haryana, Rajasthan and Uttar Pradesh. This is a perspective master plan for the next twenty years. We should also take into account the fact that by 2,001 AD, the population of Delhi will go up to about 120 lakhs. We should, therefore, have a proper concept for the purpose of development of Delhi.

Hon. Member Mr. Patil mentioned about the have-nots. Under the Prime Minister's twenty-point programme we are doing many things for the benefit of the have-nots. In the case of Delhi, for example, even if they are occupying unauthorisedly, until we give some alternative sites to them, we do not remove them from those places. There are many resettlement colonies which are coming up. There is also regularisation of unauthorised colonies.

So far as the punishment is concerned, it is not high. Because, under the existing law, we have not been able to deal with these things effectively, we have come forward before

the House with these amendments. It is also intended to make the offence cognisable. The punishment here is six months imprisonment and Rs. 5000 fine. It is not necessary that this much punishment will be given. It depends upon the authority. It may be two months, three months, Rs. 1,000, Rs. 1,500 etc. What is provided for is only the maximum limit.

It has been said here that we are giving permission to bigger people. Irrespective of the fact whether they are big or small, they will be dealt with equally through the present amending laws.

Mr. Pawan Kumar Bansal has raised the question in regard to the provision of twelve days. It is only from the time the order comes into the hands of the person concerned; if the person is not available, if he absconds, the notice will be placed on the door of his house. So far as the show-cause notice is concerned, it is seven days. Within seven days, he must come forward before the authority with a proper explanation. We want to demolish it because unauthorised occupation is there. (Interruption) Hon. Member says that this is not sufficient. I think, the notice is quite sufficient. The notice is given to the person concerned that he has un-authorisedly occupied it, he has un-authorisedly constructed it and, therefore, why, it should not be demolished. The person concerned comes forward and says 'No, it is not unauthorised occupation, it is not unauthorised construction'. Then only, the question of justification comes into the picture.

Sir, with these words, I once again thank all the hon. Members for extending their whole hearted support to this Bill.

MR. DEPUTY CHAIRMAN; I will now put the motion moved by Shri-mati Ram Dulari Sinha to vote. The question is:

"That the Bill further to amend the -Delhi Municipal Corporation Act, 1957, as passed by the Lok Sabha, be taken into consideration."

The motion was adopted.

MR. DEPUTY CHAIRMAN: We shall now take up clause by clause consideration of the Bill.

Clauses 2 to 10 were added to the Bill.

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

SHRIMATI RAM DULARI SINHA: Sir, I move that the Delhi Municipal Corporation (Amendment) Bill, 1984, be passed.

The question was proposed

श्री गुलाम रसूल कार (नाम-निर्देशित) : चैंबरमैन साहब, मैं इस बात को सहस्य कर रहा हूँ कि टाइम कम है। मैंने कोशिश की कि आप की नजरे-इनायत मुझ पर पड़े, लेकिन आपको नजरे-इनायत मुझ पर नहीं हुई जिससे मुझे बोलने का मौका नहीं मिला। मैं आप से और मुश्किल मेम्बरान से गुजारिश करता कि जहाँ तक इन बिल्ड का ताल्लुक है, मुल्क की कैपिटल होने के नाते ही दिल्ली की ग्रहमियत नहीं है, रोज-ब-रोज इस की ग्रहमियत बढ़ रही है। दिल्ली से सिर्फ नयी दिल्ली का नाम नहीं है, उसमें पुरानी दिल्ली का भी ताल्लुक है, जहाँ आबादी बराबर बढ़ती जा रही है। जो नयी कालोनियाँ बनी हैं उन में रोज-ब-रोज खिलाफवजिया हो रही हैं। दिल्ली को शकल-मूरत बिगड़ती जा रही है। दिल्ली की ग्रहमियत के पेशेनजर जहाँ तक हमारी रियासत का ताल्लुक है, दिल्ली के साथ हमारा करीबी राबता है। हमारा जखियाए-माश फ्रूट प्रोडक्शन है, जो कि हमारी सबसे बड़ी पैदावार है। उसके सिलसिले में काश्मीर के लोगों को दिल्ली आना पड़ता है, 5-6 हजार लोगों को यहाँ ठहरना पड़ता है।

दिल्ली में फ्रूट इंडस्ट्री के लिये आजादपुर को फ्रूट मार्केट तामीर की गयी है, लेकिन रोज-ब-रोज उसकी सूरत बिगड़ती जा रही है और काफी दबाव बढ़ता जा रहा है। दिल्ली एडमिनिस्ट्रेशन ने गुजिश्ता साल में कहा था कि आजादपुर की मंडी किसी और जगह भुक्तिकल की जायेगी। मैं आप की वसातत से कन्सन्ड लोगों पर यह बाजेह करना चाहता हूँ कि फ्रूट मंडी का जहाँ तक ताल्लुक है, तमाम मुल्क का जहाँ भेब आता हो, अंगूर आता हो, केला आता हो उसको अलहदा करना कोई अच्छी बात नहीं। मुल्क की तमाम फ्रूट इंडस्ट्री को, फ्रूट मार्केट को एक ही जगह पर वसीह पैमाने पर तामीर करना चाहिये। जिन लोगों का ताल्लुक इस इंडस्ट्री के साथ है, जिन को फ्रूट फरोब्ल करके के लिये आना पड़ता है उन के लिये मकानियत का बन्दोबस्त करना चाहिये ताकि यहाँ के लोग जो उन्हें मनमाने दामों पर मकान किराये पर देते हैं उस की जगह सस्ते दामों पर मकान मिल सकें। मैंने यह देखा है कि यहाँ आम तौर पर प्लाट ऐसे लोगों को मिलता है जिन्होंने अपने आप को किसी कोआपरेटिव हाउसिंग सोसाइटी से बावास्ता कर लिया हो या जिनका रसूख हो। आम गरीब मजदूर और छोटे बलबर्ब को प्लाट नहीं मिलता। हमारा मुल्क अभी ऐसे मुकाम पर नहीं पहुँचा है कि हम मकानियत सरकारी तौर पर मूपत में लोगों को मुयस्सर कर सकें। बाकी मुमालिक में सरकारी तौर पर भी मकानियत का बन्दोबस्त किया जाता है। अभी उस सतह पर हम नहीं पहुँचे हैं। फिर भी एक बात का ख्याल रखा जाना चाहिये—हमारे मुल्क में कलकत्ता हो, बम्बई हो, दिल्ली में भी मैंने देखा है कि सड़कों पर लोग रात को सोते हैं। उन के पास मकानियत का कोई बन्दोबस्त नहीं है। जहाँ इस तरह की सूरत हो, एक तरफ बड़े मकानात आसमान के साथ बातें करते हैं और बड़े-बड़े लोग जिनके पास दो या चार

फ्लैट्स हों और जो करोड़ों की मलिकयत के मालिक हों उन के लिये तो मकानों का बन्दोबस्त हो रहा हो लेकिन कुछ ऐसे लोग हैं कि जो सड़कों पर, पटरियों पर सोते हैं, यह हमारे मुल्क के लिये शान की बात नहीं। दिल्ली का एडमिनिस्ट्रेशन किसी के पास हो, वह म्युनिसिपल कारपोरेशन के पास हो या डी० डी० ए० के पास हो, या म्युनिसिपल कमेटी के पास हो, उन को यहाँ मकानियत का ऐसा बन्दोबस्त करना चाहिये कि कोई भी आदमी सड़कों या पटरियों पर न सोये। हम को यह देखना चाहिये कि दिल्ली एक मुकाम है, यह मुल्क की दाफल सलतनत है और यहाँ जो इंडरनेशनल कॉन्फरेंसेज होती हैं तो बाहर के लोग हमारी गरीबी को या मकानियत की कमी को एक्सप्लायट करते हैं। मैं इतना ही कहता हूँ कि मिनिस्ट्री ताल्लुका को सब्जीमंडी दिल्ली में काश्मीर के लोगों के लिये या दूसरे फ्रूट प्रोअर्स के लिये इस किस्म के मकानों की इंतजाम करना चाहिये कि जिन लोगों को यहाँ साल भर ठहरना पड़ता है उनके लिये मकानात हों और दूकानें सब्जीमंडी की जरूरियात के लिये हों और यहाँ के एडमिनिस्ट्रेशन को देखना चाहिये कि जो सब्जीमंडी को चलाने वाले हैं उन के साथ बात कर के उनकी जरूरियात का ख्याल रखा जाय ताकि एक प्लांड तरीके से सब्जीमंडी को तरतीब दी जाय और जहाँ तक दिल्ली में मकानियत का ताल्लुक है यहाँ बराबर सर्वे होना चाहिये और देखा जाना चाहिये कि किन लोगों के पास मकानियत का बन्दोबस्त है और किन लोगों के पास कमरे का कोई बन्दोबस्त नहीं है। ऐसे लोगों को रजिस्टर किया जाना चाहिये और आइन्दा जब भी प्लाट देने का या मकान देने का फंसल हो या देना हो तो ऐसे लोगों को तरतीब दी जानी चाहिये कि जिन को कालोनीज में को प्लाट या कमरा नहीं मिला है। शुक्रिया।

श्रीमती रामदुलारी सिन्हा : माननीय सदस्य का जो विचार है वह वर्क्स ऐंड हार्जिंग मिनिस्ट्री से संबंधित है ।

MR. DEPUTY CHAIRMAN: The question is:

"That the Bill be parsed." *The motion was adopted.*

MR. DEPUTY CHAIRMAN: I shall now put the Motion moved by Smt. Ram Dulari Sinha regarding consideration of the Punjab Municipal (New Delhi Amendment) Bill, 1984 to vote.

The question is:

"That the Bill further to amend the Punjab Municipal Act, 1911, as in force in New Delhi, as passed by the Lok Sabha, be taken into consideration."

The motion was adopted.

MR. DEPUTY CHAIRMAN: We shall now take up clause-by-clause consideration of the Bill.

Clauses 2 to 15 were added to the Bill.

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

SHRIMATI RAM DULARI SINHA: Sir, I beg to move:

"That the Bill be passed."

The question was put and the motion was adopted.

MR. DEPUTY CHAIRMAN: I shall now put the motion moved by Shri Mallikarjun regarding the Delhi Development (Amendment) Bill, 1984 to vote. The question is:

"That the Bill further to amend the Delhi Development Act, 1957, as passed by the Lok Sabha, be taken into consideration."

The motion was adopted. MR. DEPUTY CHAIRMAN: We shall now take up clause-by-clause consideration of the Bill.

Clauses 2 to 11 were added to the Bill.

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

SHRI MALLIKARJUN. Sir, I beg to move:

"That the Bill be passed."

The question was put and the motion was adopted.

MR. DEPUTY CHAIRMAN: The question is:

"That the Bill further to amend the Public Premises (Eviction of Unauthorised Occupants) Act, 1971, as passed by the Lok Sabha, be taken into consideration."

The motion was adopted. MR. DEPUTY CHAIRMAN: Now we take up clause-by-clause consideration.

Clauses 2 to 10 were added to the Bill.

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

SHRI MALLIKARJUN: Sir, I move:

"That the Bill be passed."

The question was put and the motion was adopted.

DISCUSSION ON THE WORKING OF THE MINISTRY OF INDUSTRY— (Contd.)

MR. DEPUTY CHAIRMAN. Now further discussion on the working of the Ministry of Industry raised by Shri Hukmdeo Narayan Yadav. Shri Vithalrao Madhavrao Jadhav will continue—not there. Shri Sukomal Sen—not there; Dr. Bapu Kaldate or Shri S. C. Mohunta—not there; Shri Ashwani Kumar—not there; Shri Kalyan Roy—not there. Shri Rama-nand Yadav.

श्री रामानन्द यादव (बिहार) : मान्यवर, मैं उद्योग विभाग के सम्बन्ध में अपने विचार सदन के सामने रखना चाहता हूँ ।

[उपसभाध्यक्ष (श्रीमती माधोदेवी आलवा), पीठासीन हुईं।]