

SHRI V. GOPALSAMY: Can't the Central Government make a request to the State Governments to launch prosecutions in all the cases?

MR. CHAIRMAN: It is their duty. No direction is needed.

#### Sub-leasing of Plot for construction of Hotel

\*42. SHRI AMARPROSAD  
CHAKRABORTY:†  
SHRI SYED SHAHA-  
BUDDIN:

Will the Minister of WORKS AND HOUSING be pleased to state:

(a) whether it is a fact that a plot of Government land at the crossing of Janpath and Raisina Road in New Delhi which had been leased to the N.D.M.C. has been sub-leased by the latter to a private company for constructing a hotel;

(b) whether it is also a fact that the N.D.M.C. was specifically barred from sub-leasing it and was expected to construct the hotel itself;

(c) whether Government propose to cancel the lease to the N.D.M.C. for violation of the terms of the lease and to restrain the sub-leasee from proceeding with the construction; and

(d) whether any tenders were called by the N.D.M.C. and on what terms the land has been sub-leased?

THE DEPUTY MINISTER IN THE MINISTRY OF WORKS AND HOUSING (SHRI MOHAMMED USMAN ARIF): (a) and (b) The Government had allotted a hotel site measuring about 4.5 acres, at the crossing of Janpath and Raisina Road to the NDMC for construction of a five-star hotel to meet the requirements of hotel accommodation for Asian Games, 1982. The allotment envisages that the plot will be held initially on license basis by the NDMC

†The question was actually asked on the floor of the house by Shri Amarprosad Chakraborty.

under an agreement, and after the conditions of allotment are fulfilled a lease deed will be executed. Apart from the usual terms and conditions, the allotment is subject to the condition that the NDMC shall not sub-lease the land in favour of any other party but can make such arrangement for construction and running of the hotel as will not involve sub-lease of the plot. NDMC has reported that they have entered into a licence agreement with M/s. Pure Drinks (New Delhi) Ltd. for construction, furnishing and commissioning of a five-star hotel at this site.

(c) Does not arise in view of the fact under the terms of allotment, the NDMC can make such arrangements for construction and running of the hotel as will not involve sub-leasing of the plot.

(d) The NDMC has reported that it invited by advertisements in six daily newspapers on 6/7th February, 1981, reputed firms who were already running Five Star Hotels in India or abroad to discuss possibilities collaboration for construction and running of hotel at this site. In response 17 parties contacted NDMC and ultimately 14 offers were received. The NDMC have accepted the offer of M/s. Pure Drinks (New Delhi) Ltd. for construction, furnishing and commissioning of a Five Star Hotel at this site at their own cost and on payment to NDMC of an annual licence fee of Rs. 2.68 crores or 23 per cent of the annual gross turnover of the hotel, whichever is more. The NDMC has entered into a licence agreement with M/s. Pure Drinks (New Delhi) Ltd. The land has not been sub-leased.

SHRI AMARPROSAD CHAKRABORTY: Mr. Chairman, Sir, . . .

MR. CHAIRMAN: Please be brief. I am sure that a number of questions will be asked and I can assure you that there is no gold medal, no silver medal and no bronze medal.

**SHRI AMARPROSAD CHAKRABORTY:** I have not opened my mouth and these remarks are coming from the Chair.

**MR. CHAIRMAN:** I am telling the whole lot.

**SHRI AMARPROSAD CHAKRABORTY:** The Chair must remember that this lengthy reply was not supplied to us and also it was not placed in the lobby. Sir, it is very difficult to appreciate and follow this lengthy reply. But one peculiar feature, if I follow correctly, is that the NDMC was given a licence but not a lease. But, you will appreciate, Sir,—how can a licensee give a licence to another company? Under what law can it be given? (*Interruptions*) The NDMC was given a licence for the construction of a five-star hotel for the ASIAD games.

**MR. CHAIRMAN:** What is the information that you are asking?

**SHRI AMARPROSAD CHAKRABORTY:** He says that a licence is given. My question is whether there was any lease or permission or any condition for giving a sub-lease to anybody. But he says that it was only a licence given to the NDMC for the construction of a hotel for the ASIAD games. Now, the NDMC has given a licence to another private company to construct and look after the hotel. How a licensee can give a licence? Under what law? How has the Ministry overlooking this, allowed it without taking any steps so far?

**SHRI BHISHMA NARAIN SINGH:** Sir, there should not be any confusion. This is the process actually. For bodies like the NDMC which are statutory bodies, Government bodies, we always give preference and we give them the land on pre-determined rates. And in giving the plot of land, we follow the practice. We give them licence. We lay down the conditions. And one of the conditions is that the NDMC or any body ...

**MR. CHAIRMAN:** It cannot sub-lease.

**SHRI BHISHMA NARAIN SINGH:** It cannot be sub-leased. That is the firm condition. Finally, when they fulfil our conditions, the lease is executed. And whatever conditions we have laid down, the NDMC have accepted. And according to the information I have got, no sub-lease has been done. And the main thrust of the question is whether the sub-lease has been done or not. It has not been done.

**SHRI AMARPROSAD CHAKRABORTY:** Sir, I hope, you have followed the answer. There is a difference between a Minister and another Minister. Now, Bhishma Narainji says that a lease has been entered into between the parties.

**MR. CHAIRMAN:** Mr. Chakraborty, you have not understood the answer.

**SHRI AMARPROSAD CHAKRABORTY:** Sir, if I correctly understood, the first reply was that there was a licence. And now he says that a lease has been entered into. It is very good. Was there any condition for sub-lease to a private company in the lease deed?

**MR. CHAIRMAN:** He said ...

**SHRI AMARPROSAD CHAKRABORTY:** If not, what steps the Government has taken?

**MR. CHAIRMAN:** Let me tell you. He said that there has been a clause that it shall not be sub-let, and it has not been sub-let. Only a licence has been given.

**SHRI AMARPROSAD CHAKRABORTY:** What is sub-lease and sub-letting?

**MR. CHAIRMAN:** The same thing.

**SHRI AMARPROSAD CHAKRABORTY:** No, Sir. Lease and sub-lease is one thing. Licence is another thing. And sub-letting is another thing.

**MR. CHAIRMAN:** Mr. Chakraborty, may I tell you that there is a standard question in law examinations: Distinguish between a lease and a licence. And on that depend ten marks.

**SHRI AMARPROSAD CHAKRABORTY:** I am not arguing that...

**SHRI YOGENDRA SHARMA:** What about the remaining 90 marks? That is his question. (*Interruptions*).

**SHRI NAGESHWAR PRASAD SHAHI:** Sir, the Minister was explaining the position.

**SHRI SANKAR PRASAD MITRA:** The whole position would be clear to us if the hon. Minister is good enough to read out to us the actual terms preventing sub-lease.

**SHRI AMARPROSAD CHAKRABORTY:** They will not give.

**SHRI BHISHMA NARAIN SINGH:** Sir, I have very categorically stated that one of the conditions is that the NDMC won't sub-lease and the NDMC has reported that no sub-lease has been given.

(*Interruptions*)

**SHRI NAGESHWAR PRASAD SHAHI:** What are the terms?

**MR. CHAIRMAN:** Yes, Shri Shahabuddin.

**SHRI SADASHIV BAGAITKAR:** Sir, would he lay a copy of the agreement or a copy of the terms and conditions on the Table of the House?

(*Interruptions*)

**MR. CHAIRMAN:** Order please.

**SHRI SADASHIV BAGAITKAR:** Let him place the document on the Table of the House.

(*Interruptions*)

**MR. CHAIRMAN:** Mr. Chakraborty, please sit down; you have asked the question.

**SHRI AMARPROSAD CHAKRABORTY:** But he has not answered. (*Interruptions*)

**MR. CHAIRMAN:** I do not know whom you are going to answer.

**SHRI RAMESHWAR SINGH:** Sir, ...

**MR. CHAIRMAN:** Mr. Rameshwar Singh, please listen. Mr. Chakraborty is again asking a question. It is Mr. Shahabuddin who has his turn on the paper and everybody else is jumping up before.

**श्री रामेश्वर सिंह :** श्रीमन्, मेरा कहना है कि इतना गम्भीर मामला है ।

**श्री जे० के० जैन :** श्रीमन्, इनको बैठाइये ।

**श्री रामेश्वर सिंह :** श्रीमन्, यह इतना गम्भीर मामला है इसलिए इस पर फूल डिस्कशन किया जाए। यह मैं मांग करता हूँ। कल एक मंत्री दूसरा बयान देता है और आज मंत्री दूसरा बयान दे रहा है इसलिए यह मामला गम्भीर है और मांग करता हूँ कि इस पर फूल डिस्कशन होना चाहिए।

**SHRI PILOO MODY:** Mr. Chairman, Sir, I would like to ask the Minister ...

**MR. CHAIRMAN:** Mr. Shahabuddin is asking the question. He is just behind you. (*Interruptions*). Mr. Shahabuddin, please restore peace by asking something.

**SHRI SYED SHAHABUDDIN:** Mr. Chairman, Sir, there is a combination of factors and circumstances because of which this particular transaction has attracted public notice. There is the combination of a choice plot of land has been given at a very low rent to a private party whose managing director happens to be a Congress (I) ruling party M.P. That is why this question is in the public eye.

**SOME HON. MEMBERS:** Shame, shame.

**SHRI SYED SHAHABUDDIN:** Now there are two documents involv-

ed in this question. First the agreement between the Government and the NDMC and the Minister says that the final agreement has not yet been signed and what is there is only an allotment order and subsequently a formal lease shall be signed. Therefore, the nature of the transaction between the Government and the NDMC is a lease, which is very clear. The Minister has also admitted that in that document there is no provision for a sub-lease. Now, the second document is the agreement between the NDMC and this private party. We do not know what is the nature of this agreement. To us it appears, Sir, that if the NDMC is a lessee then this document is a sub-lease. The Minister says it is not; it is only a licence. Now, if a licence is licensing, then it is a sub-licence. All right. Now, the question is, as some Members have said, let the Minister produce these two documents and lay them on the Table of the House and we would satisfy ourselves. But, subject to that, let me ask him one question, namely, what is the normal procedure in such cases? Does the NDMC have to invite offers or tenders in such cases? As I understand, there was a public notice. The notice invited open offers, not sealed bids or sealed tenders. Offers are subject to negotiations. Sealed tenders are confidential. Offers can be manipulated. Sealed tenders cannot be so easily manipulated. I would like to know from the hon. Member why this departure from the normal practice was resorted to. The circumstances are suspicious. That is why this question becomes very important. The second part of my question is that, to my mind, the original document gave the land to the NDMC for building a hotel. It could seek collaboration in running the hotel, not in constructing the hotel, not in parting with the ownership of the land or the ownership of the building constructed thereon. Under the agreement, it appears to me, Mr. Chairman, that the Government has wilfully

given the land to the NDMC and the NDMC has parted with a part of its right of ownership over this land and given it to a private party for constructing a hotel. I would like to know whether the NDMC shall own the hotel.

**SHRI BHISHMA NARAIN SINGH:** Sir, at the very beginning, I would like to clarify the position. I would like to tell the hon. Member through you, Sir, that this Government is the most judicious Government. We do not favour anybody, whether they are Congress (I) MPs. or Opposition MPs. We always consider ...

(Interruptions)

**श्री रामेश्वर सिंह :** फेवर किया है जानबूझ कर । श्रीमन्, मैं साबित करूंग इसको... (व्यवधान)

**श्री भीष्म नारायण सिंह :** सुनने की क्षमता रखिए रामेश्वर बाबू । जब सवाल कीजिए तब सुनने की भी क्षमता रखिए... (व्यवधान)

**श्री जगदीश प्रसाद माथुर :** जो आपको पैसा देते हैं उनको देते हैं... (व्यवधान)

**SHRI BHISHMA NARAIN SINGH:** Sir, neither we favour the Congress (I) MPs. nor the Opposition MPs. Again, neither we oppose the Congress (I) MPs. nor the Opposition MPs. We always decide on merits. (Interruptions) I wanted to mention this because this point has been raised by my learned friend Shri Shaha-buddin. I had to say this because he mentioned about a Congress (I) MP being favoured. There is no question of favouring anybody. We have taken this decision on merits and we have followed all the norms, procedures and so on which are laid down. Now, Sir, so far as the location is concerned—he has mentioned about the location ... (Interruptions) Please have patience. I had the patience to hear you. Unless you hear my reply, how can your misgivings be removed? Please hear my reply.

First, he has mentioned about the location. This plot was earmarked in the Master Plan for the construction of a hotel. When the NDMC approached us for allotment of land for construction of a hotel, we had to give site to the NDMC. As I have said, there is no question of lower or higher rent. There is a predetermined rate and this rate is fixed. This has been fixed at the time of the Janata Party rule in 1979, for this area. This rate has been fixed at Rs. 1800 per sq. yard. We were so cautious, the Government was very cautious, about it from the money point of view, that we have charged Rs. 2400 per sq. yard from our own body like the NDMC, though the predetermined rate was Rs. 1800 per sq. yard. We were so cautious about it. Hence, there is no question of favouring anybody. (Interruptions) Let me reply to all your points.

**SHRI SYED SHAHABUDDIN:**

I did not ask you about the rent charged from the NDMC. I had asked about the rent which the NDMC is charging.

**SHRI BHISHMA NARAIN SINGH:**

You have mentioned about low rent also. That is why, I had to say this.

I am coming to your point about offers and tenders. Sir, I have seen the proceedings yesterday. You have observed from the Chair that offers are also tenders. This has been observed by the Chair yesterday.

**श्री जगदीश प्रसाद माथुर :** श्रीमन्, ...  
(व्यवधान)

**श्री रामेश्वर सिंह :** आप सदन को गुमराह मत कीजिए. ... (व्यवधान)

**SHRI BHISHMA NARAIN SINGH:** Don't make it political. I would very humbly request you. I am furnishing the information. You are not ready to listen to it. I will be

the last man to mislead the House. But I would also make a request to you not to make it a political issue. I will very humbly request you.

**श्री जे० के० जैन :** श्रीमन्, हमको मजबूर होना पड़ेगा खड़े होने के लिए। आपसे मेरा निवेदन है कि इन लोगों को काबू रखिए। हम बिल्कुल चुपके से बर्दाश्त कर रहे हैं। कल से ये लोग प्रयास कर रहे हैं ऊधम मचाने का। आप इन लोगों को कंट्रोल कीजिए नहीं तो सभापति महोदय, मैं आपको बताना चाहता हूँ कि अगर इन लोगों ने शरारत की ... (व्यवधान)

**श्री मनु भाई पटेल :** इनको बाहर निकालें तब हम काबू करेंगे ... (व्यवधान)

**श्री सभापति :** भुझे तो यह मालूम होता है कि इधर भी वही और उधर भी वही आ सुना है कि बराब की टक्कर हुई ... (व्यवधान)

**SHRI BHISHMA NARAIN SINGH:** I want to reply to him. But nobody is ready to listen to me actually, Sir.

(Interruptions)

**श्री सभापति :** मेरा नाम जो आया, उसका मैं एक्सप्लेन कर दूँ। कल यह सवाल उठा था कि टेण्डर बुलाए य; नहीं बुलाए गए। मैंने उस पर यह कहा कि आफर जो है, तो वह भी एक टेण्डर होता है और टेण्डर जो बुलाए जाते हैं, वे सील्ड टेंडरर्ज होते हैं। इसमें सील्ड टेंडरर्ज नहीं बुलाए गए, खुले आफरर्ज दिये गए।

**SHRI BHISHMA NARAIN SINGH:** I am coming to the point. So, I wanted to explain the position. I want to furnish all information, but if you have patience then only you can get it. What has happened is, in the Akbar Hotel case, in 1971, the NDMC had asked for sealed tenders and they had a sad experience about that. Nothing could materialise. From that date, the NDMC have

reported to us that they have changed the policy for making the joint ventures convenient. Also this has been published. Seventeen parties have been intimated and 14 parties made offers. So they changed the policy from that time and they are following this policy of inviting offers since then, as they have reported to us. Not only in this case, but previous to this also, the DDA in a similar case followed the same practice. If the same practice has been followed in this case, I do not know why there should be doubts. As doubt is being created, therefore, I want to remove this misgiving. Nothing unusual was done. They were following this practice and they have followed this practice in this case also.

If you want to know the conditions which we had laid down to the NDMC, I would read these.

**SHRI SYED SHAHABUDDIN:** You can place these on the Table of the House.

**SHRI BHISHMA NARAIN SINGH:** Why place them on the Table? I will read them out. It will be on record. In just two minutes, I will read them out. These are:

(i) The hotel should be commissioned by the NDMC sufficiently in time before the commencement of the Asian Games in November, 1982.

(ii) The site will be allotted to them on payment of security at the rate of Rs. 2,400 (that I have already mentioned) per sq. yd. and F.A.R. of 1.5. The rate will be increased proportionately in case the FAR is increased subsequently.

(iii) NDMC has been allowed the option to pay the security either in lumpsum, or in five equal annual instalments. In case the payment is made in instalments, the NDMC shall pay an interest at 11.85 per cent on the outstanding amount with 2 per cent additional interest on the entire amount outstanding in case there is default in payment of any instalment.

(iv) NDMC will not sub-lease the land—it is very clear; the main thrust of the question is about this—in favour of any other party but can make such arrangements for construction and running of the hotel as will not involve sub-lease of the plot.

(v) NDMC shall pay for structures standing on the land at replacement cost minus depreciation in addition to the cost of special repairs carried out during the preceding one year.

**MR. CHAIRMAN** Mr. Minister, will you read the last but one condition again but slowly?

**SHRI BHISHMA NARAIN SINGH:** Sir, you want the last but one condition. That means the fourth condition. It is:

NDMC will not sub-lease the land in favour of any other party but can make such arrangements for construction and running of the hotel as will not involve sub-lease of the plot.

Then I have already read condition No. (v).

(vi) The hotel should be constructed according to the standards to be laid down by the Department of Tourism.

(vii) NDMC shall give a written undertaking that they will commission the hotel before the commencement of the Asian Games in November 1982.

These are the conditions.

**SHRI SYED SHAHABUDDIN:** You have not answered my question. I asked you whether the hotel shall be owned by the NDMC or the private party. I have asked you about the terms of agreement between the NDMC and the private party.

**SHRI BHISHMA NARAIN SINGH:** That also I want to bring to the notice of the House through you, Sir. These are the conditions which the NDMC

have reported to us. They have given the licence to the Pure Drinks Ltd., New Delhi because, according to them, they have given the highest offer. And the conditions are like this:

(1) The licence will be for a period of 99 years. No. 2; The terms of licence will be renewable after every 33 years and the annual guaranteed amount can be increased up to 100 per cent. (*Interruptions*). Number three is... (*Interruptions*).

SHRI PILOO MODY: Would you please repeat that? We did not hear it.

SHRI BHISHMA NARAIN SINGH: Please keep your colleagues quiet. How can I read otherwise?

SHRI PILOO MODY: I have already quietened them and only then I am asking you to repeat it.

SHRI BHISHMA NARAIN SINGH: I am ready to furnish all the information.

MR. CHAIRMAN: I am trying to gather the legal import of these conditions myself, but let us listen to them.

SHRI BHISHMA NARAIN SINGH: This is a licence. Sir, you have been a Chief Justice and about licences you know better than I.

MR. CHAIRMAN: If you want me to explain the implications of a licence I will do so, but I am not in the House to do this.

SHRI BHISHMA NARAIN SINGH: They have given the licence and the licence will be for a period of 99 years. Number 2; The terms of the licence deed are renewable after every 33 years and the annual guaranteed amount can be increased up to 100 per cent. (*Interruptions*). Please hear the conditions. These are the important conditions. The party has been granted moratorium for the year 1982-83 in order to facilitate the construction of the said hotel expeditiously. The licence fee payable for this period will be recovered in ten half-

yearly instalments, commencing from the date of the licence, the fee falling due in the year 1984. So, these are the important conditions laid down by the NDMC.

SHRI RAMAKRISHNA HEGDE: What is the licence fee? (*Interruptions*).

SHRI PILOO MODY: I would like to ask a question.

SHRI BHISHMA NARAIN SINGH: They wanted to know about the licence fee. If you see the original reply, you will find that the NDMC has entered into an agreement with Pure Drinks wherein annually it is Rs. 2.68 crores.

MR. CHAIRMAN: Or 23 per cent, whichever is more.

SHRI AMARPROSAD CHAKRABORTY: It is a fraud on the document, Sir.

SHRI BHISHMA NARAIN SINGH: Sir, such things are said and I am sorry that anything can be said. I am furnishing all the information. The hon. Member is a very senior Member and I have all respect for him.

MR. CHAIRMAN: I think if we canly go about this...

SHRI PILOO MODY: I have been very calm, Sir.

MR. CHAIRMAN: I do not know, but whenever this Pure Drinks comes, it seems to have more energy in it than anything else. Now I will ask Mr. Kulkarni to put his question.

(*Interruptions*)

SHRIMATI PURABI MUKHOPADHYAY: Sir, from the beginning I have been raising my hand.

MR. CHAIRMAN: Yes, Mr. Kulkarni.

SHRI J. K. JAIN: Sir, all the people on that side ...

MR. CHAIRMAN: One and one. I am coming. There are 15 minutes left. Please go on, Mr. Kulkarni. Be very quick.

(*Interruptions*)

**SHRI ARVIND GANESH KULKARNI:** Sir, the hon. Minister has read out the terms and conditions and he has provided certain information, but, out of that he made one reference to the Janata Government that they had already fixed this rent at Rs. 2,400. But that was on the basis that the hotel is owned by the NDMC. Now, about the major deviation, Mr. Minister, please do not try to take the Janata Government's name. Whatever Janata Government was there, it has already gone. Now I am asking him whether this hotel... (*Interruptions*). You have no rules. Last time you accepted the position. No rules have been framed. That is why this is a misuse of executive power.

**SHRI PILOO MODY:** Abuse.

**SHRI ARVIND GANESH KULKARNI:** And I want to know whether it is a fact that a Congress(I) MP...

**MR. CHAIRMAN:** What is the fact?

**SHRI ARVIND GANESH KULKARNI:** I want to know whether it is a fact that the near-about places in Connaught Place fetch Rs. 10 crores per acre. Even in Nehru Place it is nothing less than Rs. one crore per acre. This land worth Rs. 60 crores has been gifted to the Pure Drinks or Charanjit Singh, whatever it is. I allege a definite involvement of corruption at the Government level. I want to assert it. And I want to know whether you have taken action whereby this country has lost Rs. 60 crores worth of assets, on which the interest charges even at 11 per cent which you are charging comes to ...

**MR. CHAIRMAN:** Mr. Kulkarni, you are exceeding the limits of the question asked. If you want, give this in the newspapers, you can send your article there. We are here to ask for information.

**SHRI ARVIND GANESH KULKARNI:** Sir, I am asking for the information. And for your information I am asking a specific question. This land itself is worth Rs. 60 crores by an average standard of the price at

which land is sold in that area. Is it not a fact that if he would not have been a Congress (I) MP and if he would not have greased the palm of the authorities and the political party, this land would not have been parted? I think the Minister owes an explanation to the country whether he is not obliging a Congress(I) Member. Many proclaimed absconders are there in your party. So what is the fact?

**MR. CHAIRMAN:** You must bring everything in.

**SHRI BHISHMA NARAIN SINGH:** Sir, I refute all the charges which have been levelled by Kulkarniji. It is not a fact. He is making all baseless charges and I refute them. I respect him, but he is imputing motives.

**MR. CHAIRMAN:** I must say... (*Interruptions*). Just a minute, Mr. Chakraborty. I think Mr. Kulkarni has missed a portion of the answer, that there were 14 persons who offered and they offered less than Rs. 2.68 crores. If it were Rs. 68 crores, I think they were all big fools. (*Interruptions*). You see the answer and then ask questions.

**SHRIMATI PURABI MUKHOPADHYAY:** Mr. Chairman, you should not interpret.

**SHRI BHISHMA NARAIN SINGH:** Sir, for the benefit of the House ... (*Interruptions*).

**MR. CHAIRMAN:** I want to draw your attention to the answer given. If you want, he will lay on the Table the offers which had been received.

**SHRI LAL K. ADVANI:** Sir, we are concerned with the price of land in the neighbourhood because that is a crucial point. Let the Minister say what the price of land in the vicinity of that area is and on that basis what its market value should be.

**MR. CHAIRMAN:** If a straight question had been asked by him just as you are asking, it would have elicited a reply. But he is asking ...



**SHRI LAL K. ADVANI:** Sir, after all, he gathered it from a newspaper report and asked whether it is a fact that the price of land in the vicinity of the area is so much.

**MR. CHAIRMAN:** Let them ask that way. Why bring in a Congress MP and all the rest of it?

**SHRI ARVIND GANESH KULKARNI:** I want to know whether it is a fact that land near about is fetching Rs. 10 crores per acre. If so, on what pretext was this land passed on to the Pure Drinks? Please tell us that.

**SHRI BHISHMA NARAIN SINGH:** Sir, this land was not passed on to the Pure Drinks. You are a very senior Member.

**SHRI ARVIND GANESH KULKARNI:** You are allowing him to make money.

**SHRI BHISHMA NARAIN SINGH:** Not at all. I emphatically deny all the charges. Sir, the position is like this. I had referred to the Janata Government not to malign it or to do anything against it. Actually, what is the pactice? (Interruptions) Nobody can listen. I never charged the Janata Government. I never maligned the Janata Government. Whatever I said ...

**SHRI ARVIND GANESH KULKARNI:** You are fanatically denying, not emphatically denying.

**SHRI BHISHMA NARAIN SINGH:** He will not listen. I had patience to hear him, but he has no patience to listen to me. How can I help it? I did not say anything against the Janata Party. I say, every two years almost, Sir, according to the prevalent rate nearby, as Advaniji is mentioning, the auction rate nearby, Government determine, the rate.

**MR. CHAIRMAN:** It is called the index.

**SHRI BHISHMA NARAIN SINGH:** Therefore, actually two years ago—

if you want I can give the date also when the Janata Government determined the rate ...

**श्री रामेश्वर सिंह :** जनता गवर्नमेंट से क्या मतलब है ?

**SHRI BHISHMA NARAIN SINGH:** It was the 1st of April, 1979. For that area where this plot is situated, it was only Rs. 1,800 per sq. yd. and we had given it at Rs. 2,400 per sq. yd. If they say it is a favour to anybody, how will I be able to convince this House? If this is an example of favouritism, you are the best judge to decide.

Secondly, Sir, about the price in that area, it has been said... (Interruptions) I have to reply to Kulkarniji. Kulkarniji, I want to give you this information through the hon. Chairman. The position is this. Take the example of the NDMC. It has gone into an arrangement with the Pure Drinks. They had given the highest offer. Annually Rs. 2.68 crores or... (Interruptions) Just please hear. This is for every year. Can you imagine this? This is not sold to anybody. Every year they will be getting either Rs. 2.68 crores or 23 per cent of the turn-over, whichever is more.

**SHRI MANUBHAI PATEL:** How is it related to the price of the land round about? What about the price of the land round about? You are going into the terms.

**SHRI BHISHMA NARAIN SINGH:** Please try to listen to me. You will understand. This is how it is done. We give it to a government body. We had never given it to a private party. This is the position. Please try to understand it. Then you will be able to appreciate it.

**श्री रामेश्वर सिंह :** यह हाउस को मिसगाइड करना चाहते हैं ।

**SHRI MANUBHAI PATEL:** Why do you give it through the NDMC? Why not direct?

**SHRI PILOO MODY:** I thought you are a man of your word. You said, "Mr. Kulkarni first", then me and then you will go round. Now you are changing what you said earlier.

**MR. CHAIRMAN:** I am not changing. I never change like that.

**SHRI PILOO MODY:** What is the new procedure?

\* **MR. CHAIRMAN:** You are visible to me quite well. Do not worry.

**DR. RAFIQ ZAKARIA:** Mr. Chairman, Sir, I agree with Mr. Kulkarni that if there was an outright sale, this land might have fetched Rs. 60 crores. What I would like to know from the Minister is how they have fixed the annual licence fees of Rs. 2.68 crores. And you know, Sir, it has been qualified as...

**MR. CHAIRMAN:** It was an offer.

**DR. RAFIQ ZAKARIA:** ... Rs. 2.68 crores of 23 per cent of the gross income. I would like to know what the other serious offers were and by whom they were made. Were they fictitious parties or were they serious parties? Again, Sir, I would like to know from the Minister whether any writ petitions in this connection have been made by the interested parties either to the High Court or the Supreme Court on the ground that any partiality has been shown in this connection. If the answers to all these questions could be given that giving land to a local authority for augmentation of its resources has been one of the recommendations of the Committee for the Augmentation of Resources for Urban Bodies, of which, I humbly submit, was the Chairman. And this is one of the ways in which the local bodies have to augment their resources.

In this case the industrialist happens to be a Congress (I) M.P. I would like to know from the Minister or from you, Sir, whether there is any ban for such industrialists simply because they belong to the ruling party and no ban if they belong to Mr. Kulkarni's party.

**MR. CHAIRMAN:** Your important question has got lost.

**SHRI BHISHMA NARAIN SINGH:** Sir, I have already said... (*Interruptions*)

**SHRI ARVIND GANESH KULKARNI:** Stop this sycophancy.

**SHRI BHISHMA NARAIN SINGH:** I have already said that the NDMC... (*Interruptions*)

**DR. RAFIQ ZAKARIA:** Sir, you must prevent Mr. Kulkarni from using such expressions. As he is doing his duty, so we on this side have got to do our duty. If any such aspersion of sycophancy is again made, we will see to it that Mr. Kulkarni is never allowed to speak in the House. What is this?

**MR. CHAIRMAN:** Mr. Zakaria, I did not hear the word.

**DR. RAFIQ ZAKARIA:** I have my point of view. They have their point of view.

**MR. CHAIRMAN:** I was paying attention to you because you were asking the question. If people interject from this side or that side, I have not got much divided attention.

**DR. RAFIQ ZAKARIA:** But you should not give indulgence to such Members.

**MR. CHAIRMAN:** It is not right, Mr. Kulkarni, to interject like this. (*Interruptions*) I will have the record read; I will have the record brought to me.

**SHRI ARVIND GANESH KULKARNI:** You may remove whatever you like, I do not mind. (*Interruptions*)

**SHRI PILOO MODY:** It is not an unparliamentary word. I am totally against this idea of tampering with the record. Whether a thing is nice or bad, let it go on record and let the world judge what sort of Members we have over here. It must not be tampered with except for those expressions which are strictly unparliamentary, of which "sycophancy" is not one.

DR. RAFIQ ZAKARIA: One of the rules ... (*Interruptions*)

MR. CHAIRMAN: Just a minute.

SHRI ARVIND GANESH KULKARNI: I had not taken his name. It is not unparliamentary. (*Interruptions*)

MR. CHAIRMAN: I said, I was not paying attention to Mr. Kulkarni. I did not hear what he said. I will have the record brought to me.

(*Interruptions*)

DR. RAFIQ ZAKARIA: If he has spoken without your permission, it should not go on record.

SHRI BHISHMA NARAIN SINGH: The hon. Member, Dr. Zakaria, wanted to know how they had decided in favour of Pure Drinks Limited. I have already said, Sir, that they have given the highest offer. On that basis, it was decided.

DR. RAFIQ ZAKARIA: What were the other offers?

SHRI BHISHMA NARAIN SINGH: If you want the names ...

MR. CHAIRMAN: Read out the names.

DR. RAFIQ ZAKARIA: The names of other serious offers.

MR. CHAIRMAN: The other names are coming out.

SHRI BHISHMA NARAIN SINGH: I will just read out the names. You will see that they were also important parties, and this is not unfair at all.

1. I.T.C. Limited.
2. Tara Hotels Limited.
3. East India Hotels Ltd.
4. Maharaja.....

श्री रामेश्वर सिंह : सागर सुरी का भी नाम बताइये। इनका नाम क्यों नहीं बता रहे हैं ? करोड़ों रुपया लिया है इनसे ।  
..... (व्यवधान)

SHRI BHISHMA NARAIN SINGH: Sir, they are not interested in hearing the reply. They are politicalising it. I will have to say this. They are not interested in hearing the reply. This is the difficulty. How did Sagar Suri come in? I was just reading out, and Rameshwar Babu had this information about Sagar Suri! How can I reply? Then,

4. Maharaja Swai Bhawani Singh of Jaipur.

5. Pure Drinks Ltd.

6. Ambassador Hotel, Bombay.

7. Indian Hotels Company Ltd.

8. Shriram Fibres Ltd.

9. Sudarshan Group of Hotels.

10. Hotel Ambassador, Delhi.

11. Galaxy International Hotels Ltd.

12. Mohan Hotels Ltd.

13. Mohindra UGINE Steel Co., Ltd.

14. Mohinder Singh, Janpath, New Delhi.

These fourteen people made offers. Then, Sir, Dr. Zakaria wanted to know whether somebody has gone to the High Court or the Supreme Court or not. Yes, it is a fact. One party had gone to the High Court. It was dismissed. The writ was dismissed *in limine*. Then they had gone to the Supreme Court. The Supreme Court also dismissed it *in limine*. This is the position.

श्री रामेश्वर सिंह : इसमें आप लोगों ने पांच करोड़ रुपये लिये हैं ... (व्यवधान)

MR. CHAIRMAN: Mr. Mody, yours will be the last question.

SHRI PILOO MODY: I would like to know from the Minister when he knows that NDMC is not a hotel operation at all ...

SHRI J. K. JAIN: Even the Supreme Court has dismissed it. So sit down.

SHRI PILOO MODY: ... Why it is that the Government goes on giving these leases to NDMC, when they do.

not operate hotels themselves. What is the point in introducing a middle-man when they could ask for direct tenders from people who are interested in building hotels? ...

(Interruptions)

SHRI J. K. JAIN: Even the Supreme Court has dismissed it. So...

SHRI PILOO MODY: I don't accept answers from all and sundry. I want the answer from the Minister.

I want to know why this procedure is adopted, apart from the frivolous reason that has been given by Dr. Zakaria that he presided over the company ...

DR. RAFIQ ZAKARIA: I object to it ... (Interruptions) It is for the augmentation of urban resources. How can he be so irresponsible? Being a leader of the opposition on the other side, it is a matter of regret ...

SHRI BHISHMA NARAIN SINGH: I shall give the name of the party which had gone to the High Court and the Supreme Court ...

SHRI PILOO MODY: First answer my question.

SHRI BHISHMA NARAIN SINGH: The name of the party which had gone to the High Court and the Supreme Court is European Research & Supply. It had gone to the Supreme Court also and it was dismissed *in limine*.

SHRI PILOO MODY: What about an answer to my question?

SHRI J. K. JAIN: Does the party which went to the High Court and the Supreme Court belong to Mr. Piloo Mody? Mr. Chairman, let him say. Does that party belong to the Janata Party or Mr. Piloo Mody?

MR. CHAIRMAN: Mr. Jain, I cannot ask a Member to supply information. The Question Hour is for Members to ask for information from the Ministry. Do you want to reverse the whole thing? We have got other work also ...

SHRI PILOO MODY: I am still waiting for a reply to my question, Mr. Minister.

SOME HON. MEMBERS: Mr. Chairman, the Question Hour is over ...

MR. CHAIRMAN: But it takes only a minute to reply, Mr. Minister. So, what is your reply?

SHRI BHISHMA NARAIN SINGH: Dr. Zakaria has already stated just now what the recommendations are. These bodies go in for joint ventures, and there is nothing wrong in going in for joint ventures.

MR. CHAIRMAN: Now the Question Hour is over.

I think these drinks will have to be bottled up some day.

#### WRITTEN ANSWERS TO QUESTIONS

#### Complaints regarding sale price and Distribution of Maida and Suji in Delhi

\*43. SHRI ERA SEZHIAN:  
SHRI MANUBHAI PATEL:

Will the Minister of AGRICULTURE be pleased to state:

(a) whether Government have received complaints regarding the sale price and distribution of maida and suji in Delhi;

(b) whether there has been any control on the sale price and distribution of maida and suji; and

(c) what are the reasons for withdrawal of an order for taking over distribution of maida by Government?

THE MINISTER OF AGRICULTURE AND RURAL RECONSTRUCTION AND IRRIGATION AND CIVIL SUPPLIES (SHRI RAO BIRENDRA SINGH): (a) No, Sir. No specific complaints have been received from the consumers in the recent past in this behalf.