

oi class II which was available in August, 1978. But complaints have been received about late supply and non-availability of textbooks and the difficulties experienced by the students in this regard.

(d) Government have urged the NCERT authorities to make arrangements for bringing out books well in advance for the next academic session.

**Covering of verandahs in the Bhagat Singh Market, New Delhi by the shopkeepers**

604. SHRIMATI SAROJ KHAPARDE: DR. V. P. DUTT:

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

(a) whether Government are aware that most of the shop-keepers in Government colonies and in Bhagat Singh Market, New Delhi have again covered the verandahs and are using the space as a part of their shops;

(b) whether this encroachment on public land has resulted in great inconvenience to customers and the general public;

(c) whether Government or any other authority have given the shopkeepers permission to cover verandahs;

(d) if so, what are the names of such authorities; and

(e) if the answer to part (c) above be in the negative, what steps are being taken to get this unauthorised occupation vacated?

THE MINISTER OF WORKS AND HOUSING AND SUPPLY AND REHABILITATION (SHRI SIKANDAR BAKHT): (a) Some shopkeepers in 1 Bhagat Singh Market, New Delhi and in Markets in Government Colonies under the Directorate of Estates have covered the verandahs of shops.

(b) Obstructions in the verandah of shops do cause inconvenience to the public.

(c) and (d) No permission has been given by the NDMC or the Directorate of Estates.

(e) In the case of Bhagat Singh Market, notices under Sections 72 and 220 Punjab Municipal Act were issued but further action could not be taken as the parties got stay order\* from the Court. In respect of shops under the Directorate of Estates, show-cause notices are issued to the defaulters to remove the breaches within a stipulated period and in the event of their failure to do so, the licences are revoked.

**Cases of transfer of membership in the Delhi School Teachers' Cooperative House Building Society**

605. SHRIMATI MAIMOONA SULTAN; With the Minister of WORKS AND HOUSING AND SUPPLY AND REHABILITATION be pleased to state:

(a) what is the number of cases of transfer of membership in the Delhi School Teachers' Cooperative House Building Society Limited as are included in the list of 839 persons referred to in the Registrar's Urgent Notice published in the Hindustan Times of the 4th June, 1978; and

(b) whether under the cooperative law/DDA Rules membership of a cooperative house building society can be transferred only to a blood relation etc. if so, what are the relevant provisions; and

(c) what steps Government propose to take immediately to exclude such persons from the list of members of the Delhi School Teachers Cooperative House Building Society Limited in whose case the provisions referred to in part (d) above have been violated?

THE MINISTER OF WORKS AND HOUSING AND SUPPLY AND REHABILITATION (SHRI SIKANDAR BAKHT): (a) The Society has reported that there is no such case.

(b) The Lt. Governor has issued certain instructions on 18th March, 1974 concerning this matter. A copy of these instructions is furnished in the Annexure appended.

(c) The issue of membership is pending before the Delhi High Court and, the matter is therefore *sub judice*.

#### ANNEXURE

The question of laying down a general policy for permitting the inclusion of co-lessees/co-sub-lessees in respect of residential plots of land sold/allotted by the D.D.A. has been under consideration for some time. The following guide-lines are laid down in this behalf: —

1. Cases in which leases/sub-leases have been executed.—In such cases, substitution/addition of membership in respect of land allotted through cooperative societies and addition of prospective lessees in respect of land bought in auction should be permitted within the definition of family members given below and further subject to the conditions given in para 5 to 7 below.

2. Cases in which leases/sub-leases have been executed but not yet registered.—No request for inclusion of names of co-lessees/co-sub-lessees should be entertained unless the lease/sub-lease deed is first registered in the name of the original allottee. Thereafter the matter will be dealt with as in para 3 below.

3. Cases in which lease deeds have already been executed and registered. —In such cases inclusion of co-lessees in the case of land bought in auction and substitution of sub-lessee addition of co-sub-lessees in the case of land allotted through cooperative societies, may be permitted within the family members as defined below. Subject to the condition that the

changes in the title under lease shall be permitted on the basis of a conveyance deed, i.e. sale deed/gift deed to be executed by the original lessee/ sub-lessee and further subject to the condition given in paras 5 to 7 below.

4. The term family member means the allottee's husband/wife, father, mother, sister, brother, son, daughter, grand-son/grand-daughter, wife of the son/grand son, son-in-law or husband of grand daughter. (For the purpose of this definition grand-son/grand-daughter means a son or a daughter's child). In cases where the allottee has no family of his own, the family members will mean his legal heirs as defined in the Hindu Succession Act 1956.

5. In all such cases an affidavit shall be obtained from the original allottee/ lessee/sub-lessee auction purchaser to the effect that the person sought to be included in the lease is within the degree of relationship as indicated above. An affidavit shall also be taken from the person, sought to be included in the lease deed that he was eligible for the said inclusion at the time of allotment/purchase of land in question by the original allottee/ auction purchaser and continues to be so, i.e. he or his wife or his dependent relations including unmarried children do not own in full or part any plot of land on lease-hold or freehold basis or a house in Delhi, including New Delhi or Delhi Cantt. An indemnity bond shall also be filed by both the parties indemnifying the lessor against any claim or loss arising out of the change in the status of the lessee/sub-lessee.

6. These instructions shall apply in respect of all plots of land lying vacant as well as built upon.

7. intimation of all such changes shall be furnished to the Income Tax/ gift tax authorities through a registered letter for such action as may be found necessary by them.

BALESHWAR PRASAD,

Lt. Governor, Delhi.