

श्री सिकन्दर बख्त : मैं कहना चाह रहा था कि इसकी इतिला मुझे लेनी पड़गी कि जब उनकी हुकूमत चल रही थी तों वहां इंजीनियर्स 20 फीसदी रिश्तत ले रहे थे या नहीं । मेरे पास वह इतिला नहीं है ।

श्री श्यामलाल यादव : आज क्या स्थिति है, आप बताइए । मैंने जो सवाल किया है वह यह है कि आज पेमेंट नहीं हुई है । पिछली सरकार का रेकार्ड देखकर बता सकते हैं, यह कोई उत्तर है ?

(Interruption)

आठ महीने में क्या हो रहा है वह बताइये ।

श्री सिकन्दर बख्त : आठ महीने में
(Interruptions)

श्री श्याम लाल यादव :
You are unfair to the Members
माननीय मंत्री जी इस तरह की हरकत करते हैं, सदन के अंदर इस तरह की गैर-जिम्मेदारी की बात करते हैं । पिछली सरकार से पूछने का क्या मतलब है ? क्या पिछली सरकार के मंत्री को आप खत लिखेंगे या पिछली सरकार के मंत्री के पास कागज रखें हुए हैं ? क्या इस सरकार के पास कागज नहीं है ? क्या पिछले मंत्री से ये पत्र-व्यवहार कर रहे हैं हासिल करने के लिए ? क्या इनके इंजीनियर्स हीं है ? इस तरह की गैर-जिम्मेदारी की बात करना अशोभनीय है ।

(Interruptions)

श्री सिकन्दर बख्त : आपको यकीन दिलाता हूं कि मैंने माननीय सदस्य के साथ कोई हरकत नहीं की ।

श्री श्यामलाल यादव : आप मेरे साथ क्या करेंगे, आप जिसके साथ करते हैं सारी दिल्ली जानती है । आप इन शब्दों को वापस लीजिए ।

PROF. S. NURUL HASAN: Sir, on a point of order. This expression in Urdu is highly objectionable and unparliamentary. Therefore, I request you that it should be withdrawn.

श्री सिकन्दर बख्त : मैं यह अर्ज करना चाहता हूं कि हरकत का लफ्ज माननीय सदस्य ने पहले इस्तेमाल किया था । मैं कहना चाहता हूं कि मैंने कोई हरकत नहीं की है ।

SHRI D. P. SINGH: It is a highly objectionable matter. You must listen to us before you give your direction. The proceedings of the House will not be allowed to scandalise the previous Government. We seek your protection. You cannot go on defending them. (Interruptions).

SHRI SIKANDAR BAKHT: I have got to answer his question.

MR. CHAIRMAN: Do not be upset. Whatever might have happened in the past is a different matter. If anything is being done today after you took charge you please reply to that.

श्री सिकन्दर बख्त : मैं यह बताना चाहता हूं कि जिस वक्त मौजूदा हुकूमत आई उस वक्त बेहद बिल्स मौजूद थे और इन चन्द महीनों के अन्दर 16.60 करोड़ रुपये की उनकी पेमेंट की गई है । दिक्कत यह है कि तमाम बैंकलाग, उस जमाने का है । अब सिर्फ एक महीने की पेमेंट करना बाकी रह गया है । आप जो पूछ रहे हैं वह यह है—

These payments have been made during this year and the backlog was the result of what was happening in the past.

*304. [The questioner (Shrimati Maimoona Sultan) was absent. For answer, vide col. 40-41 *infra*.]

Revision of land ceiling laws

*305. SHRI JAGJIT SINGH
ANAND :f SHRI S. W. DHABE:
SHRI VITHAL GADGIL: SHRI
DEVENDRA NATH
DWIVEDI:

Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state:

(a) whether some State Governments have submitted to the Central

tThe question was actually asked on the floor of the House by Shri Jagjit Singh Anand.

Government for approval proposals for the revision of their land ceiling laws;

(b) if so, what are the details thereof; and

(c) what action the Central Government have taken thereon?

THE MINISTER OF AGRICULTURE
AND IRRIGATION (SHRI SURJIT
SINGH BARNALA): (a)

Proposals for amendment to ceiling legislations have been received from the Governments of Andhra Pradesh and Orissa.

(b) A statement is laid on the Table of the Sabha indicating the substance of the major proposals.

(c) The proposals are under examination. Suitable advice would be given to the State Governments after the examination is completed.

Statement

| S. No. and State | Substance of the proposal |
|--------------------|--|
| 1. Andhra Pradesh. | <p>(i) The Andhra Pradesh ceiling law exempts lands in any area notified by the Government as required for acquisition, in connection with any major irrigation, industrial or other projects under construction on the date of commencement of the Act from the operation of the ceiling law. The State Government have proposed that in addition to lands required for these projects under construction on the date of commencement of the Act, the law should also exempt such lands as may be notified subsequently for such purposes.</p> <p>(ii) The scale of compensation payable to landowners in respect of ceiling surplus lands is, according to the State Government, amongst the lowest in the country and needs to be enhanced.</p> <p>(iii) Lands under bamboo and sisal may be exempted from the ceiling on the analogy of lands under tea, coffee and rubber since these crops are the raw material for agro and forest-based industries and since large extents of land are required for commercial cultivation.</p> |
| 2. Orissa | <p>(i) While determining the classification of land for ceiling purposes, only specified crops (paddy, jute, wheat and sugarcane) may be taken into account and other crops grown on the land may be ignored.</p> <p>(ii) According to the present provisions of the law irrigated land does not include land irrigated by private tube-wells. Such lands may be treated as irrigated for purposes of the ceiling.</p> <p>(iii) At present a major unmarried daughter is included in the family. She may be excluded in accordance with the National Guidelines.</p> <p>(iv) The law at present provides that transfers made between 26-9-70 and 2-10-73 should be ignored. The date 26-9-70 should be changed to 16-7-72 when the Government passed a law prohibiting alienation of lands.</p> <p>(v) On the analogy of the exemption granted to tea and coffee plantations, areas under casurina, cashewnut, coconut, sabaigrass, sugarcane and medicinal plants may be exempted from the operation of the ceiling law.</p> <p>(vi) Raiyats in unsurveyed areas should be enabled to file returns after publication of the record of rights.</p> |

| S. No. and State | Substance of the proposal |
|------------------|---|
| | (vii) An association of individuals should be allowed to hold land up to 18 standard acres on the analogy of larger families. |
| | (viii) The law should prevent owners of surplus lands from disposing of tress and forest growth thereon. |

SHRI JAGJIT SINGH ANAND: Sir, the hon. Minister has laid a statement on the Table of the House showing the proposals received from Andhra Pradesh and Orissa. Now, the Andhra Pradesh proposal wants the scale of compensation payable to the landlords to go up while the entire trend is to bring land reforms in favour of the poor and not to pay more to the rich. Secondly, the Andhra Pradesh proposal has asked for the lands under bamboo and sisal to be exempted. Sir, the Orissa Government has also demanded that the law at present providing transfers made between 26.9.1970 and 2.10.1973 to be ignored should be amended and they want that 26-9-70 should be changed to 16-7-72. And the second proposal is that apart from so many other crops, cashewnut, coconut, sabai grass and sugarcane should be excluded from the land ceilings. Now this is happening when both Shri Barnala and Shri Gulshan and also Shri Shanti Bhushan are on record as having informed the State Revenue Ministers to include suitable provisions in their laws so that benami transfers are nullified. One State Government wants to increase the period in which more benami transfers may be made. And this is happening at a time when, according to the latest figures, there are 53 lakh acres of estimated surplus land and only 44-lakh acres have been declared as surplus land and only 20 lakh acres had been acquired out of which only 13 lakh acres had been distributed throughout the country. My question is, in view of the fact that neither the Congress Government nor the Janata Government took the question of land

reforms seriously, will the hon. Minister assure that none of the Governments, either the Andhra Government or the Orissa Government, will be allowed to carry out measures that are more against the spirit and the letter of the land reform laws and in favour of landlords and vested interests?

MR. CHAIRMAN: If you have read the answer, he has said that he is going to advise the States on behalf of the Government of India. Am I correct? You can reply.

SHRI JAGJIT SINGH ANAND: He may assure that whatever decision he takes will be in the light of his own observation and will be in the interest of the people.

MR. CHAIRMAN: He will reply.

SHRI SURJIT SINGH BARNALA: Sir, this is what I have said in reply to part (c) of the question: "Suitable advice would be given to the State Governments after the examination is completed." My hon. friend, Mr. Anand, is correct when he says that some of these proposals should not be accepted, for example, "Scale of compensation payable to landowners in respect of ceiling surplus lands is, according to the State Government, amongst the lowest in the country and needs to be enhanced." We might not agree to this. Similarly, regarding Orissa also, there are certain proposals which are not acceptable to us as such. We are discussing it with them. For example, in the first proposal they say, "While determining the classification of land for ceiling purposes, only specified crops—paddy,

jute, wheat and sugarcane—may be taken into account and other crops grown on the land may be ignored." We are not agreeing to it because that way it will go very far. Regarding the second proposal. Mr. Anand might like to read it which says: "According to the present provision of the law irrigated land does not include land irrigated by private tubewells. Such lands may be treated as irrigated for purposes of the ceiling." That is a positive suggestion and we are likely to accept it. Similarly, there is another positive suggestion, for example, (viii) which says: "The law should prevent owners of surplus lands from disposing of trees and forest growth thereon." We might accept that also. So, we are considering all these aspects and we will take a proper view on this and advise the State Governments accordingly.

SHRI JAGJIT SINGH ANAND: Sir, I am most thankful to the hon. Minister. He has taken a very enlightened view and given an assurance that things will be implemented regarding these two States in the light of his observation in a progressive direction. On this, I want to say that though no formal proposal may have come from the Punjab Government, I hope Shri Barnala is aware that the Revenue Minister of Punjab has been day in and day out saying that he will refuse to implement the land laws already adopted till there is an urban property law also framed. And he has also gone on record saying that he would not like any surplus land to be transferred to the tillers if they are non-owners, that he will only see to it that the land is transferred to the tillers who are already owner; but do not have sufficient land, and thus leading to a strife in Punjab between the upper class jat-owners and the lower castes, the Scheduled Castes, who are non-owners but who have been tilling the land for a long time. I want an assurance from the hon. Minister that on this also he will intervene to see

that in the State from which he and I come, the land laws are properly implemented and no Minister is allowed to carry on this propaganda leading to mutual strife.

SHRI SURJIT SINGH BARNALA: Sir, I had a talk with the Revenue Minister of Punjab also and it was only probably in his anxiety to have urban land ceiling also that he was mentioning this thing. We had a talk and he has a good understanding of the whole situation and nothing of that sort is going to happen there.

SHRI S. W. DHABE: Sir, the hon. Minister's reply at page 2 says about Orissa that an association of individuals should be allowed to hold land up to 18 standard acres on the analogy of larger families. It is not clear as to what the meaning of an association of individuals is. There are proposals from many States which are coming in the Press, particularly from Gujarat and Punjab to lower and dilute the provisions of the land ceiling Act.

I would like to have a clarification from the hon. Minister with regard to item (vii). What does he mean by 'an association of individuals' or 'group of persons' and will they also get the land? Have the proposals, which they have received, been circulated to other States for eliciting their opinion and will they wait for their opinion before taking a final decision?

SHRI SURJIT SINGH BARNALA: We are not agreeing to this proposal. This proposal has been received from the State Government. The meaning of 'an association of individuals' is given in the Act. They want that this limit of 18 standard acres should also apply in the case of an association of individuals as it applies in the case of a large family. We are not likely to accept it.

SHRI S. W. DHABE: Sir, he has not replied to my question whether they will consult the other State Governments before taking a final decision.

MR. CHAIRMAN: You have suggested it and they will consider it.

SHRI DEVENDRA NATH DWIVEDI: Sir, in spite of the fact that this Government has been paying lip-service to its commitment to land-reforms, its performance in the past six months leaves much to be desired and there is a general feeling in the rural sector that this Government is against the small farmers and in favour of the landed aristocracy. Now, according to their latest economic policy statement, they have stated that they want 2.5 acres to be the minimum land holding. Now, in a country where more than 50 per cent of the land holdings are below 2.5 acres and where another 20 per cent of the land holdings are below 2 acres, will it not lead to an increase in the army of landless people if the present policy is implemented? What is the Government's attitude in regard to those who own one acre or 5 acre of land or less than that? Are they going to be ejected and made to join the army of the landless or has the Government some positive policy to help the small farmers, as is being done in Japan, by providing him with irrigation facilities and animal husbandry facilities so as to make him feel that he is not going to be ejected and he is not going to be made a victim of the pro-landlord policy of this Government.

MR. CHAIRMAN: The main question is whether some proposals have been received from the States for the revision of land ceiling laws. This supplementary will not arise out of that. If the hon. Minister is pleased to reply I am not coming in his way.

SHRI SURJIT SINGH BARNALA: This does not arise, Sir.

SHRI HAMID ALI SCHAMNAD: Sir, in view of the need for increased agricultural production and in the interests of the stability of farmers, is the Government considering any proposal to fix the size of the minimum economic holdings? In Andhra Pradesh and other places they have fixed

the size of the holdings but they want it to be revised or some such thing. Is the Government considering any proposal to fix the size of an economic holding in order to avoid fragmentation of land which adversely affects agricultural production? Is the Government thinking on those lines?

MR. CHAIRMAN: That will not arise.

SHRI HAMID ALI SCHAMNAD: This is an important question, Sir.

MR. CHAIRMAN: Everything is important but that supplementary does not pertain to this question. (*Interruptions*). No, it will not arise. The Minister might have got the information but it does not arise out of this question.

SHRI HAMID ALI SCHAMNAD: But the hon. Minister is willing to answer.

MR. CHAIRMAN: But I must permit him first.

SHRI N. G. RANGA: Sir, it is interesting to find that Sardar Barnala is in agreement with Sardar Anand; the Janata and the Marxist Members are in good company with each other in doing much more harm to the peasant than the State Governments are willing to do. Now, Sir, when compensation has to be paid for the land which is acquired over and above the ceiling, is it not a fact that it is the State Government which has to pay the compensation and not the small holder to whom this land is being distributed? If that is so, in what way does the Government of India wish to serve social justice by preventing the State Governments from paying compensation?

May I also know whether there is any proposal made by any of the States or *suo motu* by themselves to recognise the right of women, what is known as 'Stree Dhan' so that they may be able to get a share from their parents' property? If that is not being given, then in what way are they

going to allow land-holders to compensate these women who are entitled to 'Stree Dhan' for centuries and who may claim it?

MR. CHAIRMAN: Whether there is any proposal from any of the States regarding 'Stree Dhan'. That is what he asks.

SHRI SURJIT SINGH BARNALA: We are not inclined to change the guidelines given earlier.

SHRI N. G. RANGA: What is the guideline with regard to compensation? Are the small holders to pay or should the Government pay?

SHRI SURJIT SINGH BARNALA: Sir, the hon. Member, probably, never objected when the legislations were passed. No objections have been taken to it in the last so many years.

SHRI N. G. RANGA: Sir, he has not answered with regard to compensation. It is the Government which has got to pay and not the small holders.

MR. CHAIRMAN: What he says is, according to the legislation, whatever is there is there.

SHRI SURJIT SINGH BARNALA: The guideline is like this:

Compensation payable for the surplus land on imposition of ceiling laws will be fixed well below the market value of the property so that it is within the paying capacity of the new allottees mainly comprising landless agricultural workers who belong to the Scheduled Castes and the Scheduled Tribes.

SHRI N. G. RANGA: It means, the Government need not pay anything at all. It is only the poor small holder, for whom my honourable Marxist friend spoke so much, who has got to pay. In what way is the Government helping the small holders? They want to rob the so-called rich people and at the same time rob the poorer people also...., (Interruptions).

MR. CHAIRMAN: Silence please.

SHRI D. P. SINGH: Will the hon. Minister tell us _____
(Interruptions).

MR. CHAIRMAN: Mr. Kalyan Roy, if you start discussing, then it is impossible to hear.

SHRI KALYAN ROY: Sir, the discussion is between CPI and CPM.

SHRI D. P. SINGH: Will the hon. Minister tell us what are the suggested modalities for achieving the minimum holdings?

SHRI SURJIT SINGH BARNALA: Minimum holding has not been fixed. There is no national guideline on that. It depends on the various States while allotting the land. Some States have fixed it and some have not fixed it.

SHRI PATITPABAN PRADHAN: Since the hon. Minister has referred to some proposals from the State Government of Orissa, I would like to ask the hon. Minister one or two questions. Will the hon. Minister let the House know if there were some Central guidelines with regard to land ceiling? If so, I would like to know whether the State Government of Orissa has enacted a legislation pertaining to the land ceiling in conformity with the guidelines given by the Centre then.

SHRI SURJIT SINGH BARNALA: The guidelines are given in four pages. If the hon. Member likes, I can read them. But regarding the ceiling, I would like to mention the first paragraph which pertains to the level of ceiling:

"The best category of land in a State with assured irrigation and capable of yielding at least two crops a year should have a ceiling within the range of 10 to 18 acres taking into account the fertility of the soil and water condition."

In Orissa it was fixed at 10; in some other States it was fixed at 17^{1/2} as in Punjab and in some other States.

SHRI PATITPABAN PRADHAN: Does the hon. Minister consider that the quality of land in Orissa can be compared with the quality of land in Haryana and Punjab and the Indus Valley Basin?

SHRI SURJIT SINGH BARNALA: This was primarily the concern of the State Government but probably the land there is quite fertile as compared to Haryana and Punjab.

Anomaly in the pay-scales of Head Masters in Government Middle Schools!

*306. SHRI SYED AHMAD
HASHMI: SHRI SUJAN
SINGH: v SHRI MAHENDRA
BAHADUR
SINGH: SHRI RANBIR
SINGH:

Will the Minister of EDUCATION, SOCIAL WELFARE AND CULTURE be pleased to state:

(a) whether it is a fact that the Head Masters in the Middle Schools in Delhi are cent per cent promotees from the trained graduate teachers' cadre;

(b) whether it is a fact that the Head Masters are getting less pay in the lower pay scales since the 5th September 1971, as compared to the trained graduate teachers (selection grade) who are working under the former; if so, what are the details thereof and what are the reasons therefor;

(c) whether Government have asked the Delhi Administration to remove the anomaly; and

(d) if so, by when a decision is likely to be taken in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF EDUCATION, SOCIAL WELFARE AND CULTURE (SHRIMATI RENUKA DEVI BARA-KATAKI): (a) Yes, Sir.

(b) to (d) A statement is laid on the Table of the Sabha.

Statement

(b) to (d) Selection grades for various categories of teachers including Trained Graduate Teachers and Headmasters of Middle Schools working under Delhi Administration were introduced from 5th September, 1971. On 5th September, 1971 the following were the ordinary and selection grades for the two posts:

| | Ordinary | Selection Grade |
|-------------|----------------------|-------------------|
| T.G.T. | 250—20—450—EB—25—550 | 550—30—700 |
| Headmasters | 300—25—600 | 600—30—630—40—750 |

The above scales were further revised with effect from 1st January, 1973 as under:

| | Ordinary | Selection Grade |
|-------------|------------------------------------|--------------------|
| T.G.T. | 440—20—500—EB—25—700— EB—25—750 | 760—35—880 |
| Headmasters | 550—25—750—EB—30—900 | 775—35—880—40—1000 |

tThe question was actually asked on the floor of the House by Shri Sujan Singh,