

MR. DEPUTY CHAIRMAN : We are going to adjourn *sine die* today and it is desirable for the Government or the concerned Minister to collect information as early as possible and place the available information before the House today before we adjourn.

REFERENCE TO SUSPENSION OF SHRI RAJNARAIN— contd.

श्री नागेश्वर प्रसाद शाही (उत्तर प्रदेश) : श्रीमन्, चूंकि सदन ने एक बहुत प्रजातांत्रिक व्यवस्था के खिलाफ और डीसेन्सी के खिलाफ आज यह फैसला लिया है ..

श्री उपसभापति : परसों के दिन लिया था ।

श्री नागेश्वर प्रसाद शाही : परसों का फैसला आज वापस हो सकता था, इसलिये इसके विरोध में मैं वाक-आउट करता हूं ।

(At this stage, the lion. Member left the House)

REFERENCE TO INDO-NEPAL TRADE AND TRANSIT TREATY

श्री श्याम लाल यादव (उत्तर प्रदेश) : उपसभापति जी, मैं एक प्रश्न उठाना चाहता हूं । नेपाल और हिन्दुस्तान के बीच जो ट्रीटी हुई है उसके सम्बन्ध में क्या कोई वक्तव्य दिया जायेगा क्योंकि पार्लियामेंट आज उठ जायगी ।

संसदीय कार्य विभाग तथा नौवहन और परिवहन मंत्रालय में राज्य मंत्री (श्री ओम मेहता) : आज डिस्कश है ।

श्री श्याम लाल यादव : नहीं ; नेपाल और हिन्दुस्तान के बीच जो समझौता हुआ है, जो बहुत अच्छा हुआ है और जो प्रशंसनीय है, मैं उसके बारे में पूछ रहा हूं ।

MR. DEPUTY CHAIRMAN : Mr. Mishra, do you want to reply to the point ?

विदेश व्यापार मंत्री (श्री एल० एन० मिश्र) : उपसभापति जी, नेपाल और हिन्दुस्तान के बीच समझौता हुआ है, यह तय हुआ था कि सोमवार के दिन ही इसको प्रकाशित करेंगे । जोइन्ट कम्युनिके की प्रतिलिपि मेरे पास है, अगर आज्ञा हो तो मैं उसे सदन के पटल पर रख देता हूँ । जहाँ तक पूरी सधि की बात है, हमारे उनके बीच समझौता है कि सोमवार को 12 बजे से पहले उसको प्रकाशित न किया जाय ।

MR. DEPUTY CHAIRMAN : I think you can say whether you can place it on the Table or not.

SHRI PITAMBER DAS (Uttar Pradesh) : Sir, all this has been televised yesterday. Last night on television we have seen and heard all these things. I think Parliament should have been taken into confidence first before it was televised. It ought to have been declared first in the Rajya Sabha when the Rajya Sabha is in session.

SHRI A. D. MANI (Madhya Pradesh) : Exactly.

SHRI GODEY MURAHARF (Uttar Pradesh) : Sir, I also feel so. The Rajya Sabha is terminating its sitting today and it was only proper that the Minister should have made sure that he could convey this to the House today instead of making it a condition that the thing would be published only on Monday and therefore it cannot be placed now. I think it is very improper.

SHRI AKBAR ALI KHAN (Andhra Pradesh) : It is an understanding between the two countries.

SHRI GODEY MURAHARI : We could also have said that our Parliament is sitting and this should be reported to it on Saturday.

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(Interruptions)

SHRI L. N. MISHRA : Sir, I am laying the joint communique on the Table. Whatever it is there, is based on the joint communique. The treaty contains many more things. The joint communique gives only an outline of the treaty which concerns both the Governments. Both Governments came to certain conclusions over various things which we do not like to disclose in the House *in* the public interest at this stage. It is to be released to the press only after 12.00 o'clock on Monday, and this is a commitment I have made to the Government of Nepal. I request the House to kindly help me.

MR. DEPUTY CHAIRMAN : What was televised ? What was shown on the television last night ?

SHRI L. N. MISHRA : It is a simple thing. Let me . . .

SHRI PITAMBER DAS : Let me make one thing clear. It is not a question of the terms of the treaty. The very information that a treaty has been entered into should have been first given to the Rajya Sabha. I am not talking about the terms of the treaty.

SHRI L. N. MISHRA : Sir, the very information that the treaty has been . . .

SHRI N. G. GORAY (Maharashtra) : I would only ask him one question. Sir, it has been reported in the Press that the idea of common market for Nepal and India has been jettisoned. I would like to know whether this treaty is a further step towards better relations or whether it is something that is just temporary and while jettisoning the idea of common market really is' not as good as it should have been.

SHRI L. N. MISHRA : If the hon. Member looks at the treaty on Monday, he will find that there is great improvement upon the past treaty and it is of interest to both India and Nepal, and we have tried to meet the problems which were brought to our notice in the course of the last two or three years. So far as the common market idea is concerned, it is a fact that both the countries have agreed not to have a common market, but each to be treated as the most-favoured country. And I must

say that the treaty has been arrived at in a very good atmosphere I found a lot of goodwill for India ; we have worked in a very good, friendly and cordial atmosphere. And I must pay my compliment and tribute to the people of Nepal and especially to His Majesty the King and the people who are in charge of administration there.

12 NOON

**THE PUBLIC PREMISES (EVICTION
OF UNAUTHORISED OCCUPANTS)
BILL, 1971**

THE MINISTER OF STATE IN THE
MINISTRY OF WORKS AND HOUSING'

निर्माण और आवास मंत्रालय में राज्य मंत्री
(SHRI I. K. GUJRAL) : Sir. I beg to move :

"That the Bill to provide for the eviction of anauthorised occupants from public premises and for certain incidental matters, as passed by the Lok Sabha, be taken into consideration."

Sir, this is a very simple Bill that I have brought before this honourable House. As you will know, the Public Premises (Eviction of Unauthorised Occupants) Act, 1958 was enacted by this Parliament. That Act was on the same lines as the similar Act in Punjab. In 1968 that was struck down by the Punjab High Court on the ground that it gave double opportunity to the Government, namely, the Estate Office could either act on its own or could go to the Civil Court. As a result of that, Sir, we brought an ordinance and, later on, another Act in 196K to meet that problem where the premises of the courts were barred. Later on, again, as a result of one more judgment in the Delhi High Court this again was struck down as a legal lacuna was found. To meet that defect we have brought this Bill. At one stage we thought that it would be better to contest that judgment in the Supreme Court and get it negated if the Supreme Court so desired. But that might have taken more time and in the meantime the arrears are mounting up. For instance, in today's context, in the country a. a whole, there are 72,955 cases pending and arrears of rent alone are row to the order of Rs. 42.11 lakhs in Delhi alone. There are approximately