

2343 *Requisitioning and
Acquisition of*

[5 DEC. 1963] Immovable Property 2344
(Amendment) Bill, 1963

a.i letters written by the subordinates about corruption are right, I am afraid I cannot accept that; it is not so. If there is anything plausible, we certainly mark it to our intelligence authorities to make confidential enquiries and then report to us. And if there is anything suspicious, we do proceed in the matter and take further action.

About runnm-' allowance and all that, I aj?i afraid it is beside the point now.

Shri Kureel spoke about the Scheduled Castes. The House is well aware of the several concessions that we have given to the Scheduled Castes. Oftentimes, there are not enough candidates and we are holding over the vacancies for more than a year, and even then, Scheduled Caste candidates do not come. We have got the utmost concern for the Scheduled Castes and Tribes and we would be very glad if more and more candidates come to fill up those vacancies so that we may not allow their share, their proportion, to go unutilised. I hope that Shri Kureel will also take that point into consideration and do his utmost send up as many candidates as possible.

SHRI P. L. KUREEL *URF* TALIB: I am most concerned about them.

SHRI S. V. RAMASWAMY: I am only hoping that the hon. Members would pass a word of congratulations for the way in which the Railways have made more than Rs. 7 crores in excess of their own estimates. I hope that the House will appreciate that. Thank you very much.

THE VICE-CHAIRMAN (SHRI M. GOVINDA REDDY): The question is:

"That the Bill to provide for the authorisation of appropriation of moneys out of the Consolidated Fund of India to meet the amounts spent on certain services for the purposes of Railways during the financial year ended on the 31st day of March, 1962, in excess of the amounts granted for those services

and for that year, as passed by the Lok Sabha, be taken into consideration.

The motion was adopted.

THE VICE-CHAIRMAN (SHRI M. GOVINDA REDDY): We shall now take up the clause by clause consideration of the Bill.

Clauses 2 and 3 and the Schedule were added to the Bill.

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

SHRI S. V. RAMASWAMY: Sir, I move:

"That the Bill be returned."

The question was put and the motion was adopted.

**THE REQUISITIONING AND ACQUISITION OF IMMOVABLE PROPERTY
(AMENDMENT) BILL, 1963**

THE MINISTER OF WORKS, HOUSING AND REHABILITATION (SHRI MEHR CHAND KHANNA) • Sir, I move:

"That the Bill further to amend the Requisitioning and Acquisition of Immovable Property Act, 1952, as passed by the Lok Sabha, be taken into consideration."

The original Bill was moved in this House about ten years ago, in 1952 and was passed into an Act. It again came up before the House in 1958 because the life of the Act was at that time six years. Now, again, it has come before the House for further extension of the limit which was six years, and which should expire normally next year. Now, Sir, before I go into the reasons why I have come before the House, even after ten years, for a further period of six years, I wish to go into some of the provisions of the original Act. I do so for two reasons; firstly, to acquaint some of the new Members of this House with the provisions of the original Act and, secondly, to show to the House that ample safeguard have been provided in the original

[Shri Mehr Chand Khanna.] Act in regard to the mode of requisition of property and the assessment of compensation. And there is also a provision for appeals, etc.

At the very outset, Sir, I wish to refer to section 3 of the original Act of 1952. In section 3 power is given to the Government to requisition immovable property. It reads as under:

"Where the competent authority is of opinion that any property is needed or likely to be needed for any public purpose, being a purpose of the Union, and that the property should be requisitioned, the competent authority—

shall call upon the owner or any other person who may be in possession of the property by notice in writing * * * to show cause * * * why the property should not be requisitioned."

On going further down, Sir, there are two provisos which have been added to this section. One proviso is that it should not be property which is *bona fide* used by the owner as his residence or the residence of his family; such property shall not be requisitioned. And in the next proviso, it is stated that it should not be property which is exclusively used either for religious worship by the public or as a school, hospital, public library or an orphanage or for the purpose of accommodation of persons connected with the management of such place of worship or such school, hospital, library or orphanage; such property also shall not be requisitioned

Going further down there is a proviso wherein it is provided, if it is a property in which there are tenants living, what protection can be given to the tenants. It reads:

"Provided further that where the requisitioned property consists of premises which are being used as a residence by a tenant for not less than two months immediately preceding the date of the service of

notice under sub-section (1), the competent authority shall provide such tenant with alternative accommodation which, in its opinion, is suitable."

So, if there is a property which is tenanted, and the Government decides to requisition it—only tenants are living there—even the tenants are to be provided with suitable accommodation.

Then, Sir, as I have just stated, in section 8 of the original Act some principles and methods of determining compensation have been laid down; it is stated there:

"Where any property is requisitioned or acquired under this Act, there shall be paid compensation the amount of which shall be determined in the manner and in accordance with the principles herein after set out, that is to say,—

where the amount of compensation can be fixed by agreement it shall be paid in accordance with such agreement;

where no such agreement can be reached, the Central Government shall appoint as arbitrator a person who is, or has been, or is qualified for appointment as, a Judge of a High Court;"

the idea being that adequate compensation shall be paid to the person whose property is requisitioned.

Then, Sir, going a little further there is a provision for appeals from awards of compensation, etc. What I was trying to urge before the House is that in the original Act there is ample provision indicating which type of property should be requisitioned, that if it is occupied by a tenant he is to be provided with suitable accommodation, that compensation is to be properly assessed, and if it goes to arbitration, the arbitrator should be someone who should be of the rank of a High Court Judge.

Sir, in 1958, when this Bill came before the House for a second time,

the intention then was that it should become a permanent measure then, when the Bill went before the Select Committee, it was decided that it should be given a life of six years only. In spite of the fact, Sir, that this Act has been in being for over ten years, the total number of properties that have been requisitioned either by my Ministry or the Ministry of Defence or the other Ministries of the Government of India is only about 1100, and the number now is about 900. These properties are spread all over India.

SHRI AKBAR ALI KHAN (Andhra Pradesh): Can you give the break-up, for Defence and other Ministries?

SHRI MEHR CHAND KHANNA: I think mine is about 500, and the remaining may be about the same number. But during the last one year and a half that I have been in office, I have derequisitioned about 100 or 105 or 110 properties, and this process is going on, because we felt that it would be hard on the man whose property was requisitioned about fifteen or twenty years ago if we still held on to his property; I think that properties should be derequisitioned and I am looking into each case and I am trying to de-requisition as many properties as possible. But, Sir, the trouble is that we had the First Five Year Plan, then the Second Five Year Plan and we are now working the Third Five Year Plan, and with the Plans there has been expansion of the Government of India at a very rapid pace. In Delhi, today, Sir, there are nearly 50,000 Government servants who have not been provided with accommodation. It is very hard on them, I admit. Same is the case with office accommodation; we are short of office accommodation to the extent of about 40-50 lakh square feet and some of the office accommodation and residential accommodation that I have at my disposal was put up more than twenty years ago, in the last War. Now, the old tenements have outlived their life, the cost of their main-

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tenance is very high, and according to the Chief Engineer some of them have even become dangerous and they have to be pulled down.

Now, when this emergency started, we were faced with a very serious situation, more so from the point of view of the Ministry of Defence—you all know; I need not go into this history. For the Ministry of Defence we wanted a lot of accommodation from every angle, not only here but all over. We have requisitioned only a dozen or two, maybe 3 dozen properties, and beyond that we have not gone, because we have done two things. One is that the old exhibition ground in Delhi, which has an area of about 5 lakh square feet was lying idle; we have made full use of it. Most of our offices which needed to be shifted, I have shifted them to the old exhibition ground, I have put them in the exhibition buildings after making slight alterations. We have also imposed a voluntary cut upon our selves with a view to taking as little accommodation as possible. But the solution to the problem, a permanent solution to the problem, lies in this that we have to build houses and offices to meet our requirements.

It is very legitimately asked in this House and in the other House; many a time the Members have asked me questions, "What action are you taking in regard to the shifting of offices from Delhi to outside?" A very relevant question; we have even taken decisions in regard to the shifting of a number of offices. But the difficulty is: Where am I to take these offices? If Delhi is bad, Calcutta is no better and Bombay is still worse. Same is the case with Madras. I wanted to send some offices to Nagpur but I have not been able to find accommodation. My Additional Chief Engineer, who came to see me the other day, was complaining that the accommodation that had been made available to him was not suitable accommodation and he was thinking of moving further

[Shri Mehr Chand Khanna.] down to Hyderabad. Why I have sent these offices outside is that there was a concentration of offices in Delhi. And with a view to setting an example I thought it was better that I made a move myself. If I go to other Ministries to say, "Please go out of Delhi", they can very pertinently ask me, "What are you doing as a Minister in regard to your own Ministry?" So, I asked the Chief Engineer to send out of Delhi one Additional Chief Engineer. Their number is six. Though the man may be in charge of Bombay, Calcutta or Madras, these Additional Chief Engineers had their offices in Delhi and they went from here on tour to the places where the actual work lay. I sent one Additional Chief Engineer to Calcutta, a second one: I have sent to Patna and the third one I have sent to Nagpur. In spite of this, Sir, the difficulty is still there.

Then, we have undertaken a huge construction programme. In Delhi last year or within about a year we have sanctioned construction programme to the extent of over Rs. 25 crores. Now, the total Plan allocation of this Ministry under the Second Plan was only Rs. 14 crores. In the Third Plan it is Rs. 25 crores. I exceeded the ceiling of Rs. 25 crores and had a ceiling of Rs. 35 crores placed. That also I have exceeded. I have now been assured by the Planning Commission as well as by the Finance Minister in the matter of construction, more so for the lower category of officers like class IV, class III or class II who are very badly hit, plus the construction of offices, have their blessings and I can go ahead. So, I have now to launch upon a very big programme. And what I stated in the other House I wish to repeat here because I hope I will have the support of this House. You will be happy to know, the way my mind is working and the way the mind of the Ministry is working is this that for the remaining two years of the Third Plan and the next five years of the Fourth Plan I have chalked out a seven-year

programme. But the idea is that all our construction schemes, whether for the construction of houses in Delhi, in Calcutta, in Madras, Bombay or other places plus Office accommodation for which there is acute shortage all over, if the construction programme can be sanctioned within four years, then the idea is that by the end of the Fourth Plan period we will try and meet the deficit as far as possible. This programme is going to cost about Rs. 100 crores. I have been assured by the Finance Minister and the Planning Commission that if I can undertake that construction programme, which is going to help both in the solution of the office problem as well as the residential problem, they will help me to the extreme.

Sir, again, I feel it is in the interest of the Government that we should undertake construction programme instead of hiring accommodation or requisitioning property. Rents have gone up very high in Delhi or in Bombay or, for the matter of that, in Calcutta. It costs us roughly about Re. 1-00 or maybe Rs. 1:50 per sq. foot for office accommodation. In the Parliament Street it is even more. So, it means about Rs. 12 or Rs. 18 a year for a sq. ft. So, with all the modern amenities and multi-storeyed construction if the cost of the carpet area is even Rs. 30 per sq. ft. it means what we pay as rent to a private landlord during a period of three or four years, for that amount we can have our own estate—the life of which will be 50, 60 or 70 years. From that angle too I feel that we should undertake our own construction programme.

And as regards those unfortunate Government servants who have not got residence allotted to them by the Government, I feel, Sir,—and I am sure I will have the general sympathy and support of the House—that they are in a very bad way. The rents of these places are very high. And if a Government servant has to go and take a house on rent in Delhi, though my rent under F.R. 45A may be X amount

which may be Rs. 30, Rs. 40 or Rs. 50, the market rent which a Government servant shall have to pay to hire a house privately will be at least twice if not thrice. So, it is rather hard on them and many a time questions have been asked in this House.

So, what I wanted to tell the honourable House was that I propose to look into each case of requisition myself. Whether I do the requisitioning in future or even if I take the old cases, I want to go into each old case as far as possible. The idea is to derequisition these houses. But it will take a little time. I cannot give a guarantee or an assurance to the House that these houses that we have or the office accommodation that I have, whether in my own Ministry or the Ministry of Defence, can be derequisitioned overnight. No, Sir. It will take a little time. But the only assurance I give to the House as a Minister is, that it is rather hard on the owners of the houses or offices which were requisitioned a long time ago. In some cases the rent that is being paid to them may have been reasonable at the time that house was requisitioned, that rent is no longer reasonable. So, on the one side, Sir, my approach will be, (i) to look into each case of requisition with utmost caution; (ii) to look into all the old cases and see how soon and how best those places can be derequisitioned, and (iii) to go all out and undertake construction programme at a tempo which will meet my requirements over a period of four or five years.

Sir, it will be agreed, I hope, in the House that the Government has to be armed with all powers of requisitioning. When the last emergency arose, we had to requisition property. We do not know what the state of affairs may be tomorrow or the day after. So, Sir, I beg of the House to give me the sanction to extend the life of this Act for a further period of six years with the assurance that I have given to the House, that I shall do my utmost to see that all genuine cases and cases

of hardship will be looked into and that we will apply this Act with the utmost caution. Thank you, Sir.

The question was proposed. SHRI B. K. P. SINHA (Bihar): Sir, the hon. Minister in an extremely lucid, clear and able speech has forestalled criticisms; he has anticipated and replied to them.

[THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA) in the Chair.]

We are all aware that the hon. Minister is a very clever tactician and naturally he has tried to anticipate things. He has given many assurances. After those assurances many a sting has been taken out of this measure. This measure, however, was originally conceived as a temporary expedient. The original idea was to have it for six years. Later on it was extended for another six years and it is for the third time that the hon. Minister has come here for another extension of six years.

Sir, the Government have decided on a big programme of house construction and office construction. But then if the house-building activities of the Government would increase in arithmetical progression, the need for office accommodation and accommodation for officers, as our past experience shows, would rise in geometrical progression. The supply would never keep up with the demand. In the Government's scheme, the permanent measure, the permanent measure, will be the speed of Governmental house construction, would be necessary. I foresee that in the next years, the supply of Government houses would catch up with the demand. Therefore, it is necessary to bring before Parliament a measure of a permanent character. If a measure is conceived as a temporary one, the drafting Department, the Ministry and even the Parliament do not apply their mind to the same extent to that measure as they would apply if the measure were conceived to be of a permanent nature. I am sure if a

[Shri B. K. P. Sinha.] permanent measure is brought forth, it shall be more detailed, it shall pass through a Select Committee and in passing through these stages and in the Parliament, the Parliament may improve that in many ways. Therefore, I would urge for the consideration of the Minister whether it would not be proper to conceive of and place before Parliament a permanent measure which would necessarily be a far more better measure, a far better drafted Bill, a far better conceived Bill than the present Bill or the parent Act itself. The Statement of Objects and Reasons of the Bill show that there is at present a dearth of 59 lakh square feet of office accommodation and 74,000 units of residential accommodation only in four cities—Delhi, Bombay, Calcutta and Madras—and if we add up to these the needs of the Union Government in the different cities and even the rural areas of India, the need would be much larger. I would like to get from the Minister some idea as to the costs involved in meeting this deficit and the time that would be taken in building these structures.

Moreover, the Minister has rightly been solicitous of the interests of those whose properties have been requisitioned. I would like to know from him whether, during the last twelve years, the properties which were originally requisitioned have all along been under requisition and has yearly additions been made to the list of properties under requisition or some have been de-requisitioned and if so, what is their extent? In the parent Act, I find that the interests of the property owners in the matter of compensation are protected in the sense that while it is for the Government Department to fix the compensation—they do not use the word 'rent', they use the word 'compensation' as substitute for 'rent', they have good reasons for that—if the property owner is dissatisfied he can go on appeal to the High Court and the High Court can correct any error in the fixation of the compensation. It is

assumed however that since the Government would be one of the parties to the contract, the Government's interests would be naturally protected. But then it has been my experience both in respect of acquisition of agricultural land and in the case of requisition of urban properties that while the weaker people, people without any influence, people who do not have a pull, need protection, the State and the citizen of India need protection in such matters against the influential people. It is only in the last Supplementary Demands for Grants that was placed before us that I came across a case where the A. I. R. requisitioned a piece of agricultural land. The price they assessed was about Rs. 45,000. The District Judge raised it to Rs. 2,30,000 and the High Court raised it to Rs. 3,30,000. That was the case of a weaker man going by default before the Department. It is a matter of common experience, however, that many influential people borrow money from the Government or the financial institutions, put up huge structures and then manipulate to get those properties requisitioned by the Government and rent is fixed at such a high level or the compensation is fixed at such a high level that in a few years the borrowed money with interest is repaid and they get a valuable property. A valuable house is erected almost for a song. What I would say, therefore, at this stage is that there is a serious lacuna in the Act that if by some manipulation at a lower level somebody gets an exorbitant rent or compensation fixed for his property or for accommodation or house, then in that case that is accepted. There is no machinery to correct it. And I know of many cases in which this is happening. Therefore, if the Minister comes up with a permanent measure he should look into this aspect of the case also, that is the protection not only of the rights of the individual private property holder but protection also of the rights of the State which means the people of India. They should be guarded or provided for under that Act

It is clear from the aims and objects of the Bill that the Government have been requisitioning both office and residential accommodation. When they requisition these, the question naturally arises whether they requisition residential accommodation only for the highly paid staff in the offices or do they requisition residential accommodation even for what I would call, the under-dog in the office, the low-paid employees. It has been my experience that while in the matter of requisitioning of residential accommodation the interests of the highly paid officers are always protected or cared for, the interests of the low-paid employees always go by default. They have mostly to fend for themselves. The result is, they are constrained to live in hovels or live at places distant from the places where their offices are located. That naturally aggravates the problem of congestion of traffic. We know that all the advanced nations of the world have been, for some time now, at work over the problem of the congestion of traffic. Congestion at the centre and then anemia at the periphery, that is what it comes to. In most of the modern cities, the planning is on the basis that the office accommodation and the residential accommodation should be situated near each other. It is unfortunate that in Delhi we are putting up numerous buildings for office accommodation—seven-storeyed, eight-storeyed and even ten-storeyed buildings—*—we are putting up, if at all, the residences of the low-paid employees at a long distance from those offices. Let us be conscious of the travails, of the difficulties, of these low-paid employees. Let us realise that if they live near these offices, the congestion in the city shall be less and less. When I went to Moscow I found that the town-planners there were working on this problem and they were trying to solve it in a particular way. And that is what is being done in Tokyo also, I understand. And I heard in Moscow that even in Paris they have been at work over this problem. But in India where we talk of

the atomic age and of new experiences, we refuse to take advantage of even the experience that some of the most advanced countries and some of the most advanced cities have had. Therefore, I would urge upon the hon. Minister, whether it be a case of requisitioning for office accommodation or residential accommodation or erection of new buildings, let this question, let this problem, be kept in mind, and let the new office areas, the working areas, be surrounded by residential areas. Sir, the stage has come when we cannot ignore this problem. At ten in the morning and again from five to seven in the evening, we see an extremely pitiable sight at the various bus-stands, of people standing in this cold for two and three hours before getting transport. Let these scenes rouse the conscience of the Government. Let such scenes indicate to the Government a solution for which they need not go to their research officers, because the solution has already been discovered by the more advanced cities of the world.

These are a few suggestions that I would put before the hon. Minister for his consideration. The hon. Minister, in an extremely clever and astute manner has warded off all anticipated attacks. I hope that in the execution of the projects which he has promised, he is equally astute, equally efficient and quick.

SHRI MEHR CHAND KHAJWA: And less clever?

شری مہارے قل کوئل دہ طالب
(اندر پردیہیں) : جذاب والا - اس پاں
کو پیش کرتے ہوئے مائلوہ مفتی جی
نے بہت پر اثر تقریر کی ہے اور ایسی
ایسی باتوں کہیں کہ سلیے والا یہی
سمجھ گا کہ انہوں نے بہت کچھ
اچھی باتوں کی ہیں - ہم پر بھی
ان کی تائید کا اثر ہوتا ہے اور ان کی
ہو تقریر ہم پر اثر ہوتا ہے - جیسے
کہ جب چھکی جھونڈی کا سوال آیا

[شرعی پیمانے لال کوپیل دہ طالبہ]۔
نہا سب انہوں نے بڑی اچھی تقریر
کی تھی۔ لیکن ہم نے یہ نہیں کہا
تھا کہ آپ ان جہاں جہازوں کو نہ
توڑیں ہم نے تو صرف یہی کہا تھا
کہ ہمارے ان کو سہولت دہلی چاہئے
اور ان کو کافی موقعہ دینا چاہئے
کہ وہ دوسری جگہ جا سکیں مگر
وہ کہتے رہے کہ ہم مکان بنا رہے ہیں۔
ہم نہیں کہتے کہ آپ ان کے لئے مکان
نہیں بنا رہے ہیں لیکن وہ مکان
آپ دور بنا رہے ہیں انہوں نے انڈیا
بلڈنگ۔ ان کی تقریر جو عورتی ہے وہ
بہت پر اثر ہوتی ہے اور اپوزیشن
کو بھی بعض اوقات چکر میں ڈال
دیتی ہے۔

اب جہاں تک اس بل کا سوال
ہے۔ بل کے ایسے ایڈکٹس کو
دیکھنے سے پتہ چلتا ہے کہ دو مقصد
کے لئے پروپوزیشن کو ایکواؤ کریڈٹ
ریکومینڈیشن کریڈٹ۔ ایک تو آفس
ایکویزیشن کے لئے اور دوسرے
ریڈیڈنشل پروپوزیشن کے لئے۔ سوال یہ
پیدا ہوتا ہے کہ اس وقت ہمارے
پاس جو آفس ایکویزیشن ہے اس کا
ہم کہا جائے طور پر استعمال کر رہے
ہیں؟ بہت سے ایسے دفتر ہیں
جو کہ بہت اسٹیشن دفتر ہیں اور
ان کے اندر صرف ایک سہیڑ پڑی ہوئی
ہے اور کچھ نہیں ہے اور وہاں نہ کوئی
کام ہوتا ہے۔ آپ دفتروں کو جا کر
دیکھئے۔ بہت سے دفتر ہیں جہاں
کہ اتنی اسٹیشن پڑی ہوئی ہے مگر ان
کو پراپرٹی پوٹنٹل نہیں کہا جاتا
ہے۔ اگر ان کو پراپرٹی پوٹنٹل کہا
جائے تو آفس ایکویزیشن کے متعلق
جتنا کہا جاتا ہے اتنی دقت نہیں

ہوگی۔ ہمارا دیش غریب ہے اس
لئے چھوٹے چھوٹے دفتر بنائے جائیں
مگر بڑے بڑے آفسروں کو دفتر کے لئے
اتنی ایکویزیشن ملی عورتی ہے۔ تقریباً
کوئی کپارٹمنٹ ایسا نہیں ہے جو اس
چیز سے خالی ہے۔ ہر کپارٹمنٹ کے
پاس کافی اسٹیشن ہے جس کو کہ
معمول طور پر استعمال میں لیا جا
سکتا ہے۔ تو یہ جو کہا جاتا ہے کہ
دفتروں کے لئے ایکویزیشن نہیں ہے
یہ کچھ ٹیوڑا سا ایکویزیشن معلوم
ہوتا ہے۔ چھٹا کہ ایسی مائیکرو ملٹری
جی نے کہا کہ کچھ دفتروں کو وہ
دہلی کے باہر بھیج دیے تو میں
ان سے درخواست کروں گا کہ سی۔ پی۔
قبلہ۔ سی۔ پی۔ کو وہ نہیں بلکہ بہت
سے ایسے دفتر ہیں جن کو بڑی
آسانی سے باہر بھیجا جا سکتا ہے۔
بیسٹی، مدراس، ٹانکنہ اور دہلی وغیرہ
میں تو ایکویزیشن کی دقت ہے
مگر بہت سی ایسی امپورٹنٹ
جگہوں میں جیسے کہ لکھنؤ ہے
اگر وہ چند ہی گھرہ ہے جہاں کہ ان
دفتروں کو لے جایا جا سکتا ہے۔ اگر
ان دفتروں کو وہاں لے جایا جائے تو
آفس ایکویزیشن کے بارے میں جو
آپ کو دقت ہے اس میں کمی
ہوگی۔

اس کے علاوہ منسٹروں کو بہت
بڑے بڑے بلکلے آپ نے دیے ہیں۔
کہا ہم ان کو اتنے بڑے بلکلے دیئے
لئے مستحق ہیں اور کہا دینا چاہئے
یہ غریب دیئے ہیں۔ آپ منسٹروں
کو اتنی ہی ایکویزیشن دینے چاہئے جتنی
کہ آپ ممبرس پارلیمنٹ کو دیتے
ہیں۔ ممبرس پارلیمنٹ کے لئے جس
طرح ہے آپ نے فلٹس اور بلکلے بلوائے

ہوئے ہیں اسی طرح سے مستحقوں کو بھی فلاح اور ہنگامے دیئے گئے۔ ان کو اتنے بڑے بڑے ہنگامے ملے ہوئے ہیں۔ بعض بعض مستحقوں کی فلاحی بھی یہاں نہیں دہتی ہے ان کے بچے بھی یہاں نہیں دہتے ہیں وہ دلی سے ہلکے دہتے ہیں یہ بھی آپ ان کو اتنی ہی ایکویسٹیشن دہتے ہیں۔ آپ ان کے ہنگاموں میں جا کر دیکھتے صبح شام رات کو دیکھتے زیادہ تر ہنگامے جو ہیں اور ہنگامے کا جو زیادہ تر حصہ ہے وہ خالی پڑا دہتا ہے۔ ہم یہ اہمورت نہیں کر سکتے۔ آپ ذرا اس پر غور کریں۔ اور خود مستحقوں سے کہیں ان پر دباؤ ڈالیں کہ وہ چھوٹے چھوٹے ہنگاموں میں جانیں اور یہ جو بڑے بڑے ہنگامے ہیں وہ دفعتوں کے لئے کھالی کئے جائیں اور ان میں دفعتوں کو آنا چاہئے۔ دہلی میں چلتی بھی ایکویسٹیشن ہے اس کا پراپر استعمال ہونا چاہئے نہیں تو آپ اس ایکٹ کو اسی طرح سے لے جائیں اور میرٹ بڑھاتے جائیں۔ اور پچھلی پہلے یہ ایکٹ چھ سال کے لئے تھا پھر اس کو چھ سال کے لئے بڑھایا اور اب پھر اس کو چھ سال کے لئے بڑھا رہے ہیں۔ مہرا کہتا ہے کہ کچھ مستقل انتظام کھجئے۔ آفس ایکویسٹیشن میں آگاہی کھجئے۔ جہاں تک ہو سکے ایک مستقل انتظام ہونا چاہئے۔

اب جہاں تک ریڈیشنل پریز کے لئے ایکویسٹیشن کا سوال ہے میں نے پہلے ہی سنجھا دیا تھا اور اب پھر سنجھا دیتا ہوں کہ دلی کے اندر

ایسی جگہیں موجود ہیں جہاں کہ ریڈیشنل پریز کے لئے آپ کو ملتی اسٹوریڈ بلڈنگس بنانی چاہئیں اور ان کو شہر کے نزدیک دفعت کے نزدیک بنانا چاہئے۔ کیونکہ جن ملازموں کو اتنی دور سے آنا پڑتا ہے اور یہ اتنی دور ان کو جانا پڑتا ہے ان کے لئے کھلوئیس کا کوئی ویسٹا معقول انتظام نہیں ہے جیسا کہ بمبئی اور کلکتہ میں ہے۔ یہاں تو کھجئے کھجئے پھر ہمیں مارٹو ایونٹس میں بھی انتظام کرنا پڑتا ہے تب کہیں کوئی بس ملتی ہے۔ توں نمبر کو لے لھجئے پندرہ نمبر کو لے لھجئے کوئی بھی بس ٹائم پر نہیں آتی ہے۔ جیسا کہ ملہا صاحب نے بتایا ہم سب اچھے طرح سے جانتے ہیں کہ کوئی بس ٹائم پر نہیں آتی ہے۔ تو ہماری افیشلسی میں یہ ایک بڑی بھاری رکاوٹ ہے کہ کھلوئیس کا انتظام نہیں ہے اور لوگوں کو بہت دور سے آنا پڑتا ہے۔ تو اس کے لئے آپ کو ایک مستقل انتظام کرنا پڑے گا اور وہ یہ ہے کہ آپ ملٹی اسٹوریڈ بلڈنگ بلڈنگیں دہلی میں بہت سی جگہ ہے جہاں پر کہ آپ ملٹی اسٹوریڈ بلڈنگ بنا سکتے ہیں اور اس طرح سے دہلی کو سندر بنا سکتے ہیں۔ بمبئی میں کتنی ملٹی اسٹوریڈ بلڈنگس ہیں اور یہاں سے زیادہ پاپولیشن ہے لیکن بمبئی کو دیکھئے وہ دہلی سے زیادہ

[شہزادہ لال کریم دہلوی]
خوب صورت ہے - تو یہاں کافی جگہ
نزدیک میں ہے اور وہاں آ
ریجنل کوارٹرس کے لئے ملے
اسٹوریٹ بلڈنگس بلڈنگ تالہ ریجنل
ایکوموڈیشن کا جو سوال ہے وہ حل
ہو سکے - اور جو بڑی بڑی کونپل
ہوں ان کے اندر بھی دفاتر کے لئے
جو ایکوموڈیشن آپ بنا سکتے ہیں
وہ بلڈنگیں بجائے اس کے کہ اس مقصد
کے لئے پرائیویٹ پرائیویٹ کو اپوائنٹ
کریں یا ریگولیشن کریں -

اس سے زیادہ نہ کہتے ہوئے میں
اتنا ہی کہتا ہوں - میں اس بل کی
مشاورت نہیں کر رہا ہوں لیکن میں
چاہتا ہوں کہ اس معاملہ کو آپ
دیکھ لیں اور اس کو ہمیشہ کا معاملہ
نہ بلاتیں - کوئی مستقل انتظام
کیجئے تاکہ ایسے ایکٹ کو زیادہ
معاملہ کے لئے بڑھاتا نہ ہو -
تھیلک ہو -

†[श्री प्यारेलाल कुरील 'तालिका'
(उत्तर प्रदेश) : जनावेवाला, इस बिल को
पेश करते हुए माननीय मंत्री जी ने बहुत
पुरस्सर तकरीर की है और ऐसी ऐसी बातें
कहीं कि सुनने वाला यही समझेगा कि उन्होंने
ने बहुत कुछ अच्छी बातें की हैं। हम पर भी
उनकी तकरीर का असर होता है, और उनकी
हर तकरीर का हम पर असर होता है।
जैसे कि जब सुग्गी-बोंदी का सवाल आया
था तब उन्होंने बड़ी ही तकरीर की थी।

[] Hindi translation.

लेकिन हम ने यह नहीं कहा था कि आप उन
सुग्गी-बोंदी को न तोड़ें। हमने तो सिर्फ
यही कहा था कि हमें उनको सहूलियत देनी
चाहिए और उनको काफी मौका देना चाहिए
कि वो दूसरी जगह जा सकें। मगर वो
कहते रहे कि हम मकान बना रहे हैं। हम
नहीं कहते कि आप उन के लिए मकान नहीं
बना रहे हैं, लेकिन वो मकान आप दूर बना
रहे हैं, उन्हें जरा नजदीक बनाइए। उनकी
तकरीर जो होती है, वह बहुत पुरस्सर होती
है और अपोजीशन को भी बाज छोड़ता
चक्कर में डाल देती है।

अब जहां तक इस बिल का सवाल है, बिल
के ऐम्स एंड आब्जेक्ट्स को देखने से पता
चलता है कि दो मसाले के लिए प्रापर्टी को
एक्वायर करेंगे, निष्पीडन करेंगे।
आफिस एक्वामोडेशन के लिए और दूसरे
रेजिडेंशियल परपज के लिए। सवाल यह
पड़ा होता है कि इस वक्त हमारे पास जो
आफिस एक्वामोडेशन है इसका हम क्या जायज
तौर पर इस्तेमाल कर रहे हैं? बहुत से ऐसे
दफ्तर हैं जो कि बहुत स्पेशल दफ्तर हैं और
उनके अन्दर सिर्फ एक मेज पड़ी हुई है और
कुछ नहीं है, और वहां न कोई काम होता है।
आप दफ्तरों को जाकर देखिए। बहुत से
दफ्तर हैं जहां कि इनको स्पेश पड़ी हुई है।
मगर उनको प्रोपर्टी यूटीलाइज नहीं किया
जाता है। अगर उनको प्रोपर्टी यूटीलाइज
किया जाए तो आफिस एक्वामोडेशन के
मूलांश जितना कहा जाता है उतनी दिक्कत
नहीं होगी। हमारा देज गरीब है इसलिए
छोटे-छोटे दफ्तर होने चाहिए मगर बड़े-
बड़े अफसरों को दफ्तर के लिए इतनी
इक्वामोडेशन मिली हुई है। तकरीबन कोई
डिपार्टमेंट ऐसा नहीं है जो ज़रा बोज से खाली
हो। डिपार्टमेंट के पास काफी स्पेश है
जो कि मकान जीत पर इस्तेमाल में
आ सकता है। तो यह जो कहा जात
है कि एक्वामोडेशन नहीं है
यह कुछ बड़ा सा एक्वेडरेटर मानलुम होत

है जैसा कि अभी माननीय मंत्री जी ने कहा कि कुछ दफ्तरों को वे दिल्ली के बाहर भेज रहे हैं, तो मैं उनसे दरुवास्त करूंगा कि सी० पी० डब्ल्यू० डी० को ही नहीं बल्कि बहुत से ऐसे दफ्तर हैं जिनको बड़ी आसानी से बाहर भेजा जा सकता है। बम्बई, मद्रास, कलकत्ता और दिल्ली। वगैरह मैं तो एकांमोडेशन की दिक्कत है, मगर बहुत सी ऐसे इम्पार्टेंट जगहें हैं, जैसे कि लखनऊ है, आगरा है, चंडीगढ़ है जहाँ कि इन दफ्तरों को ले जाया जा सकता है। अगर इन दफ्तरों को वहाँ ले जाया जाये तो आफिस एकांमोडेशन के बारे में जो आपको दिक्कत है उसमें कमी होगी।

इसके अलावा मिनिस्ट्रों को बहुत बड़े-बड़े बंगले आपने दिये हैं। क्या हम उनको इतने बड़े बंगले देने के लिए मूस्तकिल हैं और क्या देना चाहिए? यह गरीब देश है। आप मिनिस्ट्रों को उतनी ही एकांमोडेशन बीजिये जितनी कि आप मेम्बरों पार्लियामेंट को देते हैं। मेम्बरों पार्लियामेंट के लिए जिस तरह से आपने फ्लैट्स और बंगले बनवाये हुए हैं, उसी तरह से मिनिस्ट्रों को भी फ्लैट और बंगले दीजिये। उनको इतने बड़े-बड़े बंगले मिले हुए हैं। बाज-बाज मिनिस्ट्रों की तो फ़ैमिली भी यहाँ नहीं रहती है, उनके घर भी यहाँ नहीं रहते हैं, वो दिल्ली से बाहर रहते हैं, फिर भी आप उनको इतनी बड़ी एकांमोडेशन देते हैं। आप उनके बंगलों में जाकर देखिए सुबह शाम, रात को देखिए, ज्यादातर बंगले जो हैं और बंगलों का जो ज्यादातर हिस्सा है वह खाली पड़ा रहता है। हम यह एफोर्ड नहीं कर सकते। आप ठर्रा इस पर गौर करें और खुद मिनिस्ट्रों से कहें, उन पर दबाव डालें कि वे छोटे-छोटे बंगलों में जायें, और वे जो बड़े-बड़े बंगले हैं वह दफ्तरों के लिए खाली किए जाएं, और उनमें दफ्तरों को आना चाहिए। दिल्ली में जितनी भी एकांमोडेशन

है उसका प्राप्ति इस्तेमाल होना चाहिए, नहीं तो आप इस एक्ट को इसी तरह से लाते जायेंगे और मियाद बढ़ाते जायेंगे। ओरीजिनली पहले यह एक्ट ६ साल के लिए था, फिर इसको ६ साल के लिए बढ़ाया, और अब फिर इसको ६ साल के लिए बढ़ा रहे हैं। मेरा कहना है कि कुछ मूस्तकिल इन्तजाम कीजिए। आफिस एकांमोडेशन में इकानों की कीजिए। जहाँ तक हो सके एक मूस्तकिल इन्तजाम होना चाहिए।

अब जहाँ तक रेजिडेंशियल परपजेंट के लिए एकांमोडेशन का सवाल है, मैंने पहले भी सुझाव दिया था और अब फिर सुझाव देता हूँ कि दिल्ली के अन्दर ऐसी जगहें मौजूद हैं जहाँ कि रेजिडेंशियल परपजेंट के लिए आपको मल्टी-स्टोरीड बिल्डिंग्स बनानी चाहिए, और उनको शहर के नजदीक, दफ्तर के नजदीक बनाना चाहिए क्योंकि जिन मूलाजिमों को इतनी दूर से आना पड़ता है और फिर उतनी ही दूर उनको जाना पड़ता है उनके लिए कनवेणेंस का कोई वैसा माकूल इन्तजाम नहीं है जैसा कि बम्बई और कलकत्ता में है। यहाँ तो घंटे-घंटे भर में हमें नार्थ एवेन्यू में भी इन्तजार करना पड़ता था वहाँ कोई बस मिलती है। तीन मिनट की से लीजिए, पन्द्रह मिनट की से लीजिए कोई भी बस टाइम पर नहीं आती है। जैसा कि सिन्हा साहब ने बताया कि हम सब अच्छी तरह से जानते हैं कि कोई बस टाइम पर नहीं आती है। तो हमारी एक्सिजेंसी यह बड़ी भारी क्लैम है कि कनवेणेंस का इन्तजाम नहीं है और लोगों को बहुत दूर से आना पड़ता है। तो उसके लिए आपको एक मूस्तकिल इन्तजाम करना पड़ेगा और वह यह है कि आप मल्टी-स्टोरीड बिल्डिंग बनाइए। देशों में बहुत ही जगह है जहाँ पर कि आप मल्टी-स्टोरीड बिल्डिंग बना सकते हैं और इस तरह से दिल्ली को सुन्दर बना सकते हैं। बम्बई में कितनी मल्टी-

[श्री प्यारेलाल कुरील 'तालिब']
स्टोरीड बिल्डिंग्स हैं और यहाँ से ज्यादा पापुलेशन है, लेकिन बम्बई को देखिये वह दिल्ली से ज्यादा खूबसूरत है। तो यहाँ काफ़ी जगह नज़दीक में है और वहाँ आप रेजिडेंशल क्वाटर्स के लिए मल्टी-स्टोरीड बिल्डिंग्स बनाइए ताकि रेजिडेंशल एकांमोडेजन का जो सवाल है वह टल हो सके। और जो बड़ी बड़ी कोठियाँ हैं उनके ऊपर भी दफतरो के लिए जो एकांमोडेजन आप बना सकते हैं वह बनाएँ बजाएँ इसके कि इस मकसद के लिए ग्राइबेट प्रापर्टी को एक्वायर करें या रिक्विजिशन करें।

इससे ज्यादा न कहते हुए मैं इतना ही कहूँगा। मैं इस बिल को मूकालिफ़्त नहीं कर रहा हूँ, लेकिन मैं चाहता हूँ कि इस मामले को आप देख लें और इसको हमेशा का मामला न बनाएं। कोई वृत्तिकल इन्तेज़ाम कीजिए ताकि इस एक्ट को ज्यादा मियाद के लिए बढ़ाना न पड़े। धैंक यू।]

SHRIMATI NANDINI SATPATHY (Orissa):
Sir, I rise to support the Bill which is before the House now. As has been mentioned earlier, this was enacted in 1952 and its life was extended after six years in 1958, for a further period of six years and now another extension is desired by the Government. I think, as the hon. Member said, it is quite necessary to have a permanent measure of this sort so that Government may be able to acquire certain immovable properties as it feels necessary till the country is placed on a sound footing so far as this aspect is concerned. We should know what are the types of properties which are acquired by Government. The proviso to section 3 of the original Act provides that no property or part thereof which is bona fide used by the owner thereof as the residence of himself or his family or which is exclusively used for religious worship by the public or as a school, hospital, public library or an orphanage or for the purpose of accommodation of persons

connected with the management of such place of worship or such school, hospital, library or orphanage shall be requisitioned. So, Sir, it is quite clear that Government is not going to acquire such properties as would affect the middle class people. Only those who have got excess accommodation or huge properties would be affected, but I do not think these people lose anything. As the hon. Minister said, the rent in some places is so high that over a period of two to three years the capital cost of the building can easily be recovered. So, the owners of these houses are real gainers. I do not know whether they could have got higher rent had they given these houses to any other person. I have seen in my own town how people are anxious to let out their houses to Government than to any other person.

SHRI MEHIL CHAND KHANNA: Which is the hon. Member's town?

SHRIMATI NANDINI SATPATHY:
Cuttack. So, Sir, it is quite evident that Government gives a much higher rent than other, but I do not understand why this should be so. The buildings which are requisitioned by Government are generally used for office purposes or for purposes of accommodating Government servants. Everybody knows how these Government servants are suffering due to lack of accommodation. I know of many big officers who are putting up with their friends for months together in Delhi itself and experiencing very many difficulties. If that is the case of big officers you can imagine the plight of the clerks and the peons. The Minister himself admitted that he has been able to provide accommodation only for twentyfive to thirty per cent, of these people. That being so, how can you expect excellent work from these persons to whom we cannot provide even the minimum necessities of life. It is not only the question of Calcutta, Delhi, Bombay or Madras. In smaller towns the problem is still acute because there are few houses in small places which are given out on

tent. It is not also possible for Government to provide quarters to all the Government servants within a very short period. Though the Minister has already said that they propose to construct a good number of houses still I think that will not be enough for all the people. I think, therefore, Government should not hesitate to requisition or acquire properties but at

- the same time it should see that the rent paid to the owners is not exorbitant; it should be reasonable. People say that requisitioning is done only during war-time. We are passing through an emergency and war does not only mean a fight at the frontiers. We are still fighting in the country against poverty and ignorance. So,
- we will have to undergo certain sufferings also. Though we cannot forcibly take away somebody's property, we should not at the same time allow people to go without residence and suffer a lot especially when we have already announced the goal of the country as the socialist pattern of society.

Sir, with these words I support the Bill and would request the Government to take necessary steps to reduce the rent paid to these property owners.

SHRI AKBAR ALI KHAN: Mr. Vice-Chairman, in the context of several schemes of progress, in the context of the urgent necessity of providing adequate accommodation to the people of the *low income* group and in view of the urgent necessity of clearing the slums, I think nobody would question the right of the Government to acquire or requisition property so long as this power is used with due care and caution and for the good of the people, especially the low income group. It has been the policy of this Parliament, when such measures which give extraordinary power to the executive come up before it, not to put such measures on record permanently, as far as possible but a period should be

fixed so that within that period the objectives underlying that measure may be achieved.

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I would like to make two submissions in connection with this measure. One is that in Delhi and at other places to meet the requirements of Government offices and for other purposes big buildings have been constructed but I would like the hon. Minister to give more attention for providing accommodation to the poorer classes and people of the low income group, especially the clerks and people of this category in business who live in a condition which I am sure is a matter of shame for all of us including the Minister. That consideration and that direction should be given to the planning of buildings in future.

The Minister mentioned about de-requisitioning. This measure gives a great amount of discretion to the executive authority in taking over the property and in de-requisitioning when a new officer comes. This is bound to create difficult problems as well as suspicion about the measures that would be taken in connection with de-requisitioning. So, I would like the hon. Minister to have a particular eye on this fact. When a property is requisitioned, it means that there is some purpose behind that move and if, after some time, some officer says, "No, de-requisition it" that creates great suspicion. I do hope that this will also be fully safeguarded. I have no doubt that during the next six years that this Bill envisages as the period for this Act to be continued, all these factors will be borne in mind and that every possible attempt would be made to see that no harm is done, no injustice is done and nothing is done generally which would bring the Housing Ministry, which is generally the target of many attacks, more attacks on account of some further acts of commission and omission. I do hope these things will be borne in mind.

[Shri Akbar Ali Khan.]

With these words, Sir, I support the measure.

SHRIMATI TARA RAMACHANDRA SATHE (Maharashtra): Mr. Vice-Chairman, Sir, only a couple of days back we were discussing about slums and how we could clear the slums and prevent them from coming into existence. At that time the hon. Minister and some of the Members referred to the industries and said that industries have a tendency to move towards the cities and that is why the cities were growing. That was one of the causes, we stated, why slums were growing. I should like to bring to the notice of the hon. Minister, who was in charge of the other Bill also, that there is another cause why slums are growing. All the offices of the Government like to concentrate in the big cities like Delhi. We can very well see that Delhi is growing very fast and when all the Government offices are concentrated here naturally the population increases and other people also like to rush towards Delhi for their livelihood. I understand that some days back there was some discussion in Government circles that some of the Offices should be taken to other cities. The hon. Minister also referred to it in his speech and said that he was thinking of taking some offices to Nagpur or Hyderabad. I would like to mention that some of the 'offices must be taken to other cities. There are so many cities in India which are not yet so much developed like Delhi. If we shift some offices to other cities much of the concentration in Delhi could be lessened. But I learn that every office at that time liked to stay in Delhi. Everybody had some sort of attraction for Delhi and everybody was saying, 'not my office but the other office should go out of Delhi'. The hon. Minister also said that he had transferred three of his sections to some of the States. I would suggest to him that similarly other offices also should be taken to other parts of India. The hon. Minister said that they could not get any land in other places.

SHRI MEHR CHAND KHANNA:
Suitable accommodation.

SHRIMATI TARA RAMACHANDRA SATHE: What is meant by suitable? If the Government offices go there, they can develop the land, put up their buildings and then naturally other people, who are attracted to Delhi, will naturally go to those places. Thus there will be less growth of slums in Delhi.

I would also like to refer to another point. There are some lands which were acquired by the Government long ago but those people do not get any rent or any compensation at all. Consideration should be given to such cases. The hon. Minister has said that he is trying to de-requisition of some of the lands. He should go into this question in detail and see that such people are not put into trouble. They should get some compensation or rent for their lands should be immediately de-requisitioned. Sir, with these words I conclude. Thank you.

SHRI BHUPESH GUPTA (West Bengal): Mr. Vice-Chairman, listening to the debate I thought I should say one or two words. Originally, it was not my intention, because the discussion is now turning . . .

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA) : You wanted to follow the advice given to you?

SHRI BHUPESH GUPTA: . on very general things I thought th*t the occasion should be utilised for saying something which needs to be said in this context.

We are not opposed to Government being given additional powers or extension of powers for requisitioning and acquisition—this is the expressio* used here—of these properties, land and so on. The question is, how these powers should be used and for what purposes they should be used. Thi» is the main thing. In the first place I should like to say that we do need

ample powers in the hands of (he State in order to acquire private property in land and buildings to meet the needs of social progress and for other public work. Wiui regard to Government employees it goes without saying that they are not, especially those who are in the III and the IV grade, provided with accommodation. Only this morning we were told that there were 50,000 employees or so who have not been provided with accommodation. The question is how we are going to do it. The answer on the part of the Government may be that they will gradually construct flats and dwellings for them and they will find accommodation there. To that extent it is right.

The only thing we would like to say is that the work should be expedited, but I think here requisitioning is also very important. I should like big houses to be requisitioned, houses belonging to big families and so on. There are some monopolists and big capitalists and Princes who own three, four, five or six houses at different places in the same city and they are all used by the different members of the same family whereas one house should be enough for them. Why should not such houses be taken over by the Government in tirder to accommodate either their offices or their employees instead of constructing new ones? Everybody knows, for example, that Mr. Dalmia has got four houses. Four are well known. I do not think even under the system of pely-gamy, that we have in our country, we need to be polygamous landlords also. It Is possible to have more than one wife rather than having more than one house.

SHRI MEHR CHAND KHANNA:
Why are you jealous? You get married.

SHRI BHUPESH GUPTA: Not at all thst way. I am saying that one need not be polygamous in the matter of possession of houses. That is what I gav I say It is possible for such families to live in one house and accommodate, should it come to that, more

than one companion for life. Therefore, this should be taken up. This is not done by the Government. I am only giving a typical example. When they surrender their houses to the Government, they rent out their houses to the Government. Why are not they taken over? The hon. Lady Member who spoke from this side was telling the truth that some of the people wait for the Government to take over their houses on rent because the Government is a very assured and good tenant in this respect. So I think that aspect should be gone Into. We should go in for requisitioning a larger number of houses from the topmost classes in society. That should be taken up in places like Delhi, Madras, Bombay, Calcutta, Kanpur and so on. I am mentioning the big cities where it is possible to get. a large number of houses thiat way, requisitioned under the existing law for public needs. This should, be done. It is not done only in times of war; It is done in times of peace also when the situation so demands.

Secondly, I do not see why the Government should not become a landlord—it is becoming a landlord; it has to be anyway—in the case of houses which yield revenues. I shall give one example. Today the houses wharet the diplomats and foreigners live in this very city—the fiats and so on—are almost exclusively owned by private landlords and they ^{ren} them out at very very high rents. In Chanakyapuri, Golf link and other places these houses are verv very expensive and very higri rents are charged. I should have liked the Government to develop their own estates; that is to say, it must be possible for them to construct such buildings which they can let out to the foreign Missions and others and for their personnel, functionaries, etc. to live in, at a relatively low rent, because this has become a big 'scandal in our country. Tit is said that more rents are charged here by these landlords than in some of the Western countries. This ia the 1m-

[Shri Bhupesh Gupta.] pression, this is the experience, I am told, of many of these people who are living in Delhi, i.e., various Missions and so on. Now, I think this scandal should be put a stop to. We should requisition some of these houses, take them over and use them for this purpose and we should take the responsibility of providing accommodation to foreign people when they come here, keeping in view that we get a fair return and at the same time we do not put them to difficulties. It does not speak well of our country. This is another point.

As far as pure offices are concerned, although the Government should go into the question, I am told that big constructions have stopped and offices are being somewhat distributed all over the country. Actually it is not being done very much, but in the matter of transfer of offices one should not go by fads. That is what I would like to say here. Whereas it is desirable that there should be a measure of decentralisation in this matter, one would not go by just some kind of rule of thumb. I understand some of the offices of the Government of India have been transferred from a certain State to another State without taking into account the convenience of the employees there. You have an office, for example, in Calcutta. Please do not take me as being provincial in such matters. I do not speak for any particular State. I am giving you only an example. When you transfer an office from Calcutta to Hyderabad, reckon with the employees, when you move from Calcutta, many of the people who are attached for that office are from that particular State or from the city itself, if not from the State and from the neighbouring districts and so on. Now, suddenly it is not possible for them to be moved to a distant State. Social and economic questions come in. Mainly economic questions come in. Very often they are faced with

the task of running two establishments, one at home and another where they have to go as a result of the transfer of such offices. Therefore, I say that this matter has to be carefully considered from the point of view of the employees and also from the larger point of view. There should be a golden mean between these conflicting considerations, but sometimes that is not done. Therefore, here in this matter the Government should be a little cautious.

Mr. Vice-Chairman, the other point I would like to mention here is that the requisitioning powers should be very carefully used as against the poorer sections of the community. For example, recently we have got information that under the Defence of India Rule, the people, who were occupying certain colonies or plots in the New Aliour area in Calcutta, have been asked to vacate. All that has been done by the Government of India. That is why I am mentioning it. They were occupying certain plots, certain areas belonging—I am told—to the Ministry of Defence. I have been there. It is in the Chetla Assembly constituency, I am told in the south-west Calcutta. Now, there recently suddenly the Government have passed orders asking all the dwellers in that area, in that colony, to vacate within a month's time. They want to take over the entire thing now. Orders have been passed under the Defence of India Rule by the Central Government. This, again, is very wrong because hundreds of families will be put to great loss. Most of the families had settled there long years of struggle. They had come originally from East Pakistan after partition. Such powers should not be used. The "requisitioning powers of the Government should not be used in order to uproot people once I think the Government should have done better by not going in for this kind of requisitioning. Now, they want to take over all these

places and they have asked the people to vacate them. I think this sort of thing should not be done. I realise that it does not come strictly under the hon. Minister. It certainly comes under the Defence Ministry and we understand that the needs of defence are very important. But then it is possible to make alternative arrangements in Calcutta for meeting the requirements of defence, instead of putting so many people in difficulties and harassment; and if it came to actual eviction and suffering in this manner I protest against this kind of action on the part of the Government. I hope the orders under the Defence of India Rules will be revoked. It does; not speak well of those who want to use the Defence of India Rules for such purposes.

Then, here again in Delhi, we did not like the way in which the dets in Purana Quila had been led, those people who are called squatters and so on. Now, the Government's powers have been utilised by the Delhi Administration to throw them straightway into the street without finding alternative accommodation. And you know what happened to these people. I should have thought that the Government would approach this matter with human sympathy and utilise their power with great discretion and certainly not for causing harassment and suffering to those people who need really relief and support from Us in every possible way. I should like, on the contrary, the powers to be used against the bigger sections of the people, who monopolise in housing estates, building constructions and who hold between them a large number of houses which are meant for profiteering and earning unjust incomes and so on. I can well understand the powers being used against them, but when it comes to the requisitioning of houses or dwellings of such people, Government should be extremely careful. Nothing should be done, by way of beating these people, This aspect also

should be borne in mind. I think in acquiring land, no matter whether in Delhi or in other places, Government should take into account two factors, one is how it will affect the people who are living on that land and to what extent it will mean difficulties for them. Generally, the line should be that such land acquisition of which would lead to unemployment of these people or eviction or loss of accommodation or loss of shelter, should not be acquired. The Government should search for alternative land. The tendency is to go in for what is most handy and convenient. This policy should be given up because people should not be made to suffer. That should be the general line. It may be said that the Government requires land in a particular place. Yes, it may be so. But then the Government should find alternative accommodation. If they find it, that must be acquired, they must find alternative accommodation for those people who live there before the acquisition or requisitioning order is passed. That should be borne in mind.

Secondly, when the land is so acquired, compensation should be paid. I am speaking here for the poor man. I am not speaking for the big landlord and so on. They know how to manage to get high compensation and that too in time. I speaking about people who do not get compensation either adequately or in time and we have to move heaven and earth in order to get the compensation actually paid to them. I think the machinery for payment of compensation in such cases should be one that is expeditious and should take into account the actual sufferings and difficulties and the problems of the people who get evicted as a result of such acquisition. This is the aspect of the matter. Now* therefore, the whole thing depends on how the Government is going to administer the powers, the tenure of which is being extended today. I

[Shri Bhupesh Gupta.] fully understand that the Government must have powers in such matters, but then we have to support them, in such matters subject to certain very strong reservations out of our experience, making it very clear that once you assume such powers you should be extremely careful in using such powers. And certainly they should not be used divorced from social justice and! objectives that we have set before us. Strike against the big landlord as much as you can, but do not use this power and hit the poorer sections of the community who need to be helped and assisted in their life.

SHRI MEHR CHAND KHANNA: Mr. Vice-Chairman, I am grateful to the hon Members who have taken part in the debate. From all side, of the House the underlying principles of the Bill have been accepted, and I am grateful to them.

One hon. Member remarked that it would have been preferable if it had come as a permanent measure before the House. Another Member, equally eminent—I am referring to Shri Akbar Ali Khan—was of the opinion that the executive should not be vested with such wide powers and that the life of the Act should not be extended "beyond a reasonable period. When we came before the House in 1958, the advice of the Law Commission then was that this should be made into a permanent measure. But it was Parliament itself this House as well as the other House, which stipulated that the Bill or the Act should not be of a permanent nature, and the life of the Act was fixed at six years. I cannot give an assurance to the House that I shall bring a measure which will be of a permanent nature, but I am certainly prepared to consider this aspect of the matter because from the view point of the Government it would be very desirable that a measure of this nature is of a per-

manent nature and is placed on the Statute Book.

Now, Sdr, Shri Sinha asked me the number of houses which had been requisitioned some years ago and their number today. I would give him the exact figures. On the 1st of January 1958, that is six years ago when the life of the Act was extended for the first time, the number of properties under requisition then was 1117. On the 1st of October 1963 the number was 944. That is 173 properties had been derequisitioned during this period. I take credit for 105 properties out of those 173. I might assure Shri Akbar Ali Khan that each case of requisitioning or derequisitioning comes up to the level of the Minister and the Minister goes into each case carefully.

SHRI AKBAR ALI KHAN: Because you, Department has got a name as a Public Waste Department and not Public Works Department.

SHRI MEHR CHAND KHANNA: It used to have a name of that nature. I do not say that things have changed very much, but an honest effort is being made to pull up the Department. Sir, I might take the House into confidence by saying that we have taken up a construction programme of nearly Rs. 35 crores over a period of 12 to 15 months. We have been given works by the Ministry of Defence, works which were within the normal domain of the M.E.S., to the extent of Rs. 25 crores during the last 19 or 12 months. I can take credit and I would like to congratulate my Department that six or seven aerodromes costing about Rs. 12 crores to Rs. 14 crores were completed—soon after the emergency our Ministry was asked to undertake the laying of those aerodromes and the time given was six months, and we completed the job within a period of six to seven months. Not even that, Sir, we have been given

more works by the Ministry of Defence.

Public waste or public plunder is a comparative term. I will not say that mine is better or worse than any other Department of the Government of India. It is a question of comparative values, and it is a poor consolation, but I do hope that I will have the backing of the House here as well as there to help me in rooting out corruption. I have parsed orders in my own Ministry. I can tolerate inefficiency. I can tolerate delay. But as far as the case of an officer is concerned whose integrity is of a doubtful nature, he shall not get any extension as long as I am in charge of this Department and he will have to go.

Sir, a reference has been made to the underdog, and my friend, Mr. Bhupesh Gupta, used it for the poorer sections of the community. I am in full sympathy with the unfortunate Government servants who belong to category III or IV. It is a matter of no pride to me, being in charge of this Ministry, that where the higher strata are concerned, whether it concerns the Ministers or the Members of Parliament or the Public Service Commission or the Planning Commission or the Secretaries or officers of that nature, the percentage of satisfaction is very high in the matter of allotability of accommodation. Some of the higher categories of officers may have to wait for a month or two or maybe three months for the allotment of accommodation. They have special pools of their own. But as far as people in the lower category that is Class III and rV> are concerned, the percentage of satisfaction—I am talking from memory—is hardly about 30, and some of them have to wait for a number of years. We have tried to remove the element of personal patronage in allotment. At least a man who belongs to the poorer strata in the Government services can now have the satisfaction that he shall

get his turn and accommodation shall be allotted to him in due course and that his rights shall not be superseded. But that after all is very poor satisfaction, as has been stated in the House, unless we are in a position to provide them accommodation as early as possible. As stated in my opening address, we are undertaking a seven-year programme costing nearly Rs. 100 crores, and the priority in that programme shall be given to the houses require, for the poorer sections of the community, and I hope I shall be able to complete that programme.

I also agree that we should undertake vertical construction. In all the houses which have big compounds, whether they are round about the Windsor Place, Ashoka Road, Feroz-shah Road or any other road, if these houses have big compounds, they should be utilised for the construction of multi-storeyed houses. Sir, Nos. 2 and 4, Raft Marg where a Minister was living and the Chairman of the Railway Board was living, those houses had been demolished and we are putting up office construction there. Right opposite to that there were houses with big compounds. And houses Nos. 1, 3, 5 and 7, four houses, have been demolished and I am putting up multi-storeyed flats for the Members of Parliament. Similarly, my policy is and I shall see that all the Government servants who are living there, whichever class they belong to, are provided accommodation in those areas which are centrally situated, when they are developed, and if anything becomes available, I shall utilise it for other purposes. My intention is not that from Panchkuin Road Or Lady Har-dinge Road or Reading Road or Minto Road where poor people are living, I should utilise their areas for other purposes. That is not my intention

So, multi-storeyed construction I wish to undertake. Decentralisation is my policy. I am not «on-

[Shri Mehr Chand Khanna.]

centrating on a few towns. But after all, if the Government of India's offices have to be located, the suitability of the place from where the offices can function and other aspects of the matter have to be taken into consideration.

Sir, we are undertaking new construction of office buildings. We are spreading them out. I will take up Delhi because it is nearer home to my hon. colleagues. We are putting up large constructions in Ramakrishna Puram. About ten lakh square feet of office accommodation is being put up there so that the Government servants who are living there do not come into central Delhi. They stay there. The offices are located there, and that will also remove this congestion. Unfortunately, the lower category of Government servants have to wait for hours to get a bus. You see them moving into the Secretariat every morning and going back on cycles, creating a terrific traffic jam and traffic problem. And I have passed orders that when these offices are located there, even those Government servants who are living far away from their offices, if they want to go to Ramakrishna Puram where the offices are situated or the Indraprastha Estate or for the matter of that in any other area where the offices are being located, the decision would be that subject to the availability of accommodation, they can go there, and I shall even allow exchanges. So, that is exactly what I am trying to do, as has been suggested by hon. Members.

Shri Bhupesh Gupta has suggested that I should go in for acquisition. I am not against acquisition of houses belonging to rich men. I am not concerned with that aspect of the matter whether he has four wives or he is an ex-Maharajah. But one thing that I have to take into consideration as Minister is this that acquisition is going to cost more money and by acquiring the House of an ex-Maharajah, I do

not add to my pool. The pool remains the same whether I spend Rs. 50 lakhs on the acquisition of a house or not. I feel that if I spend that money on the construction of new houses, there will be two houses instead of one. I have no objection whatsoever, but I have to lay down priorities. I have to see which is more suitable from the view-point of the Government. And I feel, as Minister, that I should go on adding to the pool. If the rents are to be brought down, if an ordinary man is to live under a shelter or a roof, if every-one is to have a home and if we believe in a real socialist society, then my solution lies in the construction of larger number of houses which should cater to all sections of the community, rich and poor alike.

I am glad that Shri Bhupesh Gupta mentioned one thing and that was about the construction of houses by my Ministry, even for those who were not on a direct charge on me. Sir, I am glad to say that the Finance Minister, Shri T. T. Krishnamachari, is also of the same view, and he told me only a month ago, "Please do not confine yourself to the construction of general pool accommodation. Build houses so that you can let them out to diplomats and others so that the prices can come down and the rents can also come down." Then again it would be a question of priorities. Being the Minister in charge of providing accommodation both for offices and for residences for those who are a charge on the general pool, I feel that my resources should first be diverted to providing accommodation to those who are a charge on me. So, if I have any extra money, I can go and build for others. That is my view.

Shri Bhupesh Gupta made a passing reference to the Purana Quila. Purana Quila has no relevance to the Requisitioning and Acquisition Bill. I only want to tell him one thing that no one has greater sympathy for the residents of Purana Quila than myself. I have been Minister of Rehabilitation and J

still happen to have that: portfolio attached to my Ministry. Only one question I want to ask—and I want Shri Bhupesh Gupta to consider it—and that is when more than 60,000 units were constructed in Delhi—houses, shops and flats were developed; a number of townships were put up at places such as Nizamuddin, Jangpura, Lajpat' Nagar and Moti Nagar—why have not these people gone, like other displaced persons have done, whether to Lajpat Nagar or Nizamuddin or Jangpura, which are nearer to them? I do not want to answer that or give any reason, I only say that they were ill-advised. If they had only behaved like other displaced persons, they would have been settled long ago. Unfortunately, they did not listen to anyone. In the beginning the total population of Purana Quila was about 700 families, we gave alternative accommodation and allotted plots to nearly four or five hundreds. When this eviction took place, the number of families was 1,100. People have gone out, taken houses, taken flats and they have been coming back. That, of course, has no relevance to this issue. I only wish to assure the House once again that each case of requisition or acquisition shall be properly looked into, that every possible effort shall be made to see that we add to our pool new houses, that I utilise my lands to the maximum whether they are centrally situated or otherwise and possibly, work on such a basis that we do the decentralisation and relieve the traffic congestion.

With these words, I am grateful to the House for the support given to the Bill.

SHRIMATI DEVAKI GOPALDAS (Kerala): I would like to know who has approved the plan for these buildings and who has approved the plan of that building without a window in the Lodi Estate on the Link Road.

SHRI MEHR CHAND KHANNA: I regret to say that possibly, the hon.

lady Member has not visited the Lodi Estate house at all. If she had, I do not think she would have made that remark. The plans are formulated by my town planners and architects who are of a very high quality. Sir, that Lodi Estate house of which mention has been made is most fortunate. We are providing a room which is about 14 feet x 9 feet or 14 feet x 8 feet, a bathroom 9 feet x 7 feet, with furnished accommodation, free water and free service and the rent for a Government servant if he takes it on a monthly basis, is Rs. 3.50 per day; it comes to Rs. 100 per mensem. If any hon. Member of Parliament wants to go and live there, there will be a concession of 25 per cent, and the rent will be only Rs. 75 per month. And I have been asked by many hoteliers that if I want to give that accommodation to them, they would be prepared to take it at three or four times the rent. I said, no I shall not do that. I am proud of that hostel, I am proud that that hostel has been beautifully constructed. If the hon. lady Member or any other Member would like to visit the hostel, I would be too glad to show them round because I think then there will be a sense of appreciation of the good work done by the CPWD. That work was completed in seven months. My unfortunate position has been that certain vested interests have been at work at certain places over a period of 20 years, and those vested interests are very difficult to dislodge and I am the victim of those vested interests.

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA): The question is:

"That the Bill further to amend the Requisitioning and Acquisition of Immovable Property Act, 1952, as passed by the Lok Sabha, be taken into consideration."

The motion was adopted.

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA): We shall now take up the clause by clause consideration of the Bill,

Clause 2 mas added to the Bill,

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

SHRI MEHR CHAND KHANNA: Sir, I beg to move:

"That the Bill be passed."

The question u>as put and the motion was adopted.

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA) : The House stands adjourned till 11 A.M. tomorrow.

The House then adjourned at twelve minutes past Jive of the clock till eleven of the clock on Friday, the 8th December 1963.