

PANDIT S. S. N. TANKHA: May I know whether the buried treasures were unearthed by the Government of India and delivered to their Pakistani owners or the owners of these treasures were allowed to come to India and then to take them away?

SHRI P. S. NASKAR: The respective owners of the treasures are allowed to come to India and they are escorted to the spot and then they dig them up themselves in the presence of the representatives of both countries.

SHRI V. K. DHAGE: Does the term 'buried treasures' mean that the treasures were buried by these people or by somebody else?

SHRI P. S. NASKAR: No. The treasures were buried by themselves.

#### TENEMENTS IN TILAK NAGAR, DELHI

\*53. SHRI N. R. MALKANI: Will the Minister of REHABILITATION AND MINORITY AFFAIRS be pleased to state:

(a) the number of tenements built by Government in Tilak Nagar, Delhi and the number of tenements so far auctioned;

(b) the number of such tenements now under unauthorised occupation; and

(c) the steps being taken by Government to end such occupation in favour of the purchases of these tenements?

THE DEPUTY MINISTER OF REHABILITATION (SHRI P. S. NASKAR): (a) Out of 1,836 tenements built in Tilaknagar, 324 have so far been auctioned.

(b) About 140.

(c) In the case of properties which have been sold, it is for the auction-purchasers to evict the unauthorised occupants under due processes of law. Government had not at the time of the auction given the auction-purchasers any undertaking to evict the unauthorised occupants.

SHRI N. R. MALKANI: Is it not a fact that some time back, the Government used the police force for evacuating such tenements and then they suddenly withdrew them from the scene?

SHRI P. S. NASKAR: At the moment I have no such information but if the hon. Member writes to me, I will look into the particular case.

SHRI N. R. MALKANI: Is it not a fact that in ordinary cases, in ordinary transactions, a private man buying these always got free possession? Must not Government do the same?

SHRI P. S. NASKAR: The original question relates to Tilak Nagar. When these properties were originally built there was a lot of unauthorised occupation. Those who occupied such premises were not authorised persons. We decided to auction those properties and we did auction a certain number of them—324—and the auction purchasers had the right to evict such unauthorised persons.

SHRI N. R. MALKANI: Is it not a fact that there is alternative accommodation nearby and that was left over by these occupants and they can be sent back to their own tenements but Government does not do so yet?

SHRI P. S. NASKAR: So far as unauthorised occupation in Tilak Nagar is concerned, I will explain the position. There were unauthorised occupants there. They came there after 1954. That means in 1956 and 1957. Such persons were not there at the time of the auctions and till recently our policy was to recognise only such unauthorised persons who were there before 1st April, 1954, but we have changed that policy. Now we are regularising even those unauthorised occupations which took place up to December, 1957, but each case is examined on merits.

SHRI BHUPESH GUPTA: May I know whether before deciding on auctioning these tenements, the difficulties of the actual occupants are

taken into account? If not, why not? If so, what steps the Government take with a view to protecting their rights because it looks as if they are interested in setting one section of people against another.

SHRI P. S. NASKAR: So far as auctioned properties are concerned, there are about 140 unauthorised occupants. Now we don't have the ownership of that property. The matter is now between the auction-purchasers and such occupants.

SHRI BHUPESH GUPTA: I understand that the Government does not have the ownership but the Government had auctioned it. Without having prior ownership, it could not have auctioned. Why then in view of the fact that such houses are occupied by certain needy people, such auctions were made and then again it was left to individuals to decide as to who should be evicted or not? Why did not the Government take steps to prevent such eventuality and protect the interests of the actual occupants?

SHRI P. S. NASKAR: There were not very many unauthorised occupants before 1st April, 1954 and our policy was such that we would only give protection to people who originally came there before 1st April, 1954. After that a large number of unauthorised occupations of the properties took place. That was the policy then although we have relaxed it now.

DR. RAGHUBIR SINH: May I know why Government did not realise its duty of handing over these tenements after having auctioned when Government have taken the money from the purchasers?

SHRI P. S. NASKAR: At the time of the auctions it was a condition of the auction that the purchasers will purchase as they find them.

DR. RAGHUBIR SINH: As they find them on the day when it was auctioned or when it was delivered? I am

sure Government is duty bound to clear the occupants before handing over these.

SHRI P. S. NASKAR: I will read the policy. We have decided that no action should be taken to dispossess anyone who enters the property after the property has been sold and provisional possession given to the purchaser. Then no action should be taken to evict a person who is already in possession of the property on the date of the auction unless proceedings to evict him were initiated before the auction was advertised or unless he occupied the property between the date when the property was advertised for auction and the date when provisional possession was given. Where there is an unauthorised occupant and we are not evicting him, it will be for the auction-purchaser to evict such a man through a civil court.

(Interruptions by Shri Bhupesh Gupta)

SHRI BHUPESH GUPTA: This is an important question. These are happening in Delhi.

INDIAN HIGH COMMISSIONER'S AIDE MEMOIRE ADDRESSED TO CEYLONSE GOVERNMENT ABOUT THE FUTURE OF INDIANS IN CEYLON

\*54. SHRI V. K. DHAGE: Will the PRIME MINISTER be pleased to state:

(a) whether the Indian High Commissioner in Ceylon has submitted an aide memoire to the Government of Ceylon for clarifying their policy in regard to the future of Indian nationals, particularly businessmen residing in Ceylon; and

(b) whether Government have received any reply; and if so, what?

THE DEPUTY MINISTER OF EXTERNAL AFFAIRS (SHRIMATI LAKSHMI MENON): (a) Yes, Sir.

(b) No reply has yet been received from the Government of Ceylon.