

MR. CHAIRMAN: Mr. Datar.

SHRI BHUPESH GUPTA: Such practices cannot go on. He is silent.

MR. CHAIRMAN: No. It is not he.

#### **MOTION FOR PAPERS *RE* HOWRAH INCIDENT**

DR. R. B. GOUR (Andhra Pradesh): Before he proceeds, I have given notice of a motion for papers regarding the Howrah incident . . .

MR. CHAIRMAN: What incident?

DR. R. B. GOUR: This morning I gave notice of a motion for papers . . .

MR. CHAIRMAN: If you have given the notice this morning, do you think he will be ready with an answer now?

DR. R. B. GOUR: This is about the Howrah incident. People went to see the Prime Minister-and there was no protection for them and there were casualties.

MR. CHAIRMAN: It has gone to the Home Minister. Mr. Datar.

#### **THE DELHI MUNICIPAL CORPORATION BILL, 1957**

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI B. N. DATAR): Sir, I beg to move:

"That the Bill to consolidate and amend the law relating to the municipal government of Delhi, as passed by the Lok Sabha, be taken into consideration."

This Bill was introduced in the Lok Sabha in the last session and thereafter it was referred to a Joint Select Committee consisting of the hon. Members from this House and the other. They considered the matter very carefully and a number of improvements were effected so far as the original

Bill was concerned. Thereafter the report was placed before both the Houses and the Lok Sabha having considered the whole matter have passed the Delhi Municipal Corporation Bill in the form in which it has now been placed before this House and it is now for this honourable House to consider this Bill before it is sent to the President for his assent. So far as the Delhi Municipal administration is concerned, you are aware that in respect of the urban areas in Delhi and New Delhi there are a number of bodies of a local self-governing character. They are of different types to a certain extent. We have got the Municipal Committee for New Delhi; we have got the Municipal Committee for old Delhi, urban area, and we have Notified Areas and certain other types of such bodies. Now, it has been under consideration for a number of years as to whether all the bodies should be amalgamated into one body so far as the municipal administration of this area is concerned. There have been some committees appointed. One committee was appointed in 1946 and they made certain recommendations. Thereafter this question had to be considered and when the question of the States reorganisation was taken up on the Central level, then this matter had to wait for some time. Thereafter, last year, as you are aware, an announcement was made by the Home Minister that so far as the civic administration of this area is concerned, the Government contemplated the preparation and the presentation before Parliament of a Delhi Municipal Corporation Bill. Thereafter this Bill was drafted and it was also considered by the Delhi Advisory Committee and certain changes were thereafter effected. Further history I have already placed before this House so far as the Parliament work is concerned or the finishing touches given to it. in the first instance, by the Joint Select Committee and then by the other House. Thus we have now a Bill which has received the support of the other House and which has to be considered by this honourable House.

[Shri B. N. Datar.]

Now, so far as this Bill is concerned^ I should like very briefly to explain certain salient features of this Bill. The moment we start consideration, there is one very peculiar and rather unique aspect of this Bill. Here in this case, in addition to the urban areas in Delhi as also in New Delhi, we have also brought under the jurisdiction of the proposed municipal corporation all the rural areas consisting of more than two hundred villages.

Sir, you would agree that this is a novel experiment. But in view of the special circumstances attaching to the capital city of Delhi and in view also of the possibility of further development of Delhi, it was considered that all these areas rural as well as urban, ought to be brought under the jurisdiction or purview of one Municipal Committee, and therefore all these rural areas have been added on or brought under the proposed Delhi Municipal Corporation.

Now, there are certain exceptions, or rather two types of areas have been excepted from the purview of the Municipal Corporation. One is the portion of the New Delhi area, not the whole area but half of what is now popularly known as the New Delhi Municipal Committee area. Half has been included in the Delhi Corporation and the other half in which there are Government estates, there are Government buildings, where about 90 per cent, of the property is Government property . . .

DR. R. B. GOUR (Andhra Pradesh): That is the better half.

SHRI B. N. DATAR: They are equal halves in this case. You cannot call them better or worse. So far as the excepted portion is concerned, as you are aware, Sir, about 90 per cent, of the property vests in Government. The Raj Bhavan, the Secretariat and a number of other bungalows, all these things naturally come under that portion. They are directly under the Government, they vest in the Govern-

ment. Secondly, for example, only 10 per cent, is the extent of the property owned by private individuals.

So far as the population is concerned, you will also find that nearly 93 per cent, of the population in this area are either Government servants or members of their families or their dependants.

So far as Government estates or Government buildings are concerned, there are certain provisions in the Constitution under which they are not liable to such taxes, and therefore Government considered that it would be advantageous, that it would be in the interests of the Delhi Municipal Corporation itself, that these areas ought to be excepted from the jurisdiction of the Delhi Municipal Corporation. We would not give that amount of revenue which otherwise they would have got.

Under these circumstances it was considered essential, rather advisable in the interests of the Municipal Corporation itself, that no great burden, financial and otherwise, should be placed upon the Delhi Municipal Corporation. So, that was the reason why this particular portion has been taken away and does not form part of the Municipal Corporation area. That area, I may point out, is about 14 to 16 square miles out of the total extent of about 32 square miles. Secondly, as you are aware, there is also a Municipal Cantonment, and its area is about 12 square miles. "Under these circumstances it was considered advisable that 16 square miles of the New Delhi area and 12 square miles of the Cantonment area, that is, a total area of about 28 square miles, should be excepted from the purview of the Delhi Municipal Corporation.

I may point out that the total area of the Delhi State or Delhi territory is 538 square miles. Out of this, the area of the proposed Municipal Corporation would be 510 square miles. This would not only be the largest area in India but perhaps one of

the largest municipal boroughs in the whole world. Now we have excluded from it 12 square miles of the Delhi Cantonment area and 16 square miles of the New Delhi Municipal Committee area. Thus, you will find that so far as the portion which is deducted or which has not been transferred to the Delhi Corporation is concerned, it is only 28 square miles as against 510 square miles which constitute the total area of the Delhi Municipal Corporation.

Under these circumstances, Sir, so far as this point is concerned, I would submit that what the Government have done and what has been accepted by the Lok Sabha is a fairly reasonable proposition. I know that there are certain dissenting notes. There are four dissenting notes and all of them are signed by eight hon. Members, eight hon. Members out of forty-five hon. Members. Thus you will find that the largest support was given to this measure as recommended by the Government not only by the Joint Select Committee but also by the Lok Sabha. Regarding these dissenting notes, there is not much substance in them, though my hon. friends there will raise a considerable debate and take a considerable time over this question.

Then, Sir, I would pass on to another question which was also raised, and we have got dissenting minutes regarding the main function of the Municipal Corporation. Now the view that has been accepted by the Joint Select Committee and the Lok Sabha is to the effect that all these Municipal Corporations ought to have the power to lay down general policies, and that their proceedings ought to be of a deliberative character. So far as the actual day-to-day administration or the executive functions are concerned, they ought better to be entrusted to the Municipal Corporation, and this is the principle which has been followed in the Bombay Municipal Corporation as also in the other Municipal Corporations. My hon. friend Shri Basu

will tell you how this particular thing was tackled in Calcutta and how ultimately the Calcutta Municipal Corporation also came to the view that it was better if the Mayor and other office-bearers together carried on the supervisory or deliberative work and left the executive work to the Municipal Corporation.

[THE VICE-CHAIRMAN (SHRI M. B. JOSHI) : in the Chair.]

I may also point out in this connection that so far as the model for the Delhi Municipal Corporation is concerned, we have placed before ourselves the Bombay Municipal Corporation by and large. It is the common view expressed from all quarters that the Bombay Municipal Corporation has acquitted itself very well so far as the civic administration is concerned, and therefore, in view of this experience which has been gained by the Bombay Corporation, it was considered advisable that we should take the Bombay Municipal Corporation as the model . . .

DR. R. B. GOUR: Do not go beyond that.

SHRI B. N. DATAR: My hon. friend should not have anticipated what I am going to tell him. After making certain changes here and there in the light of the constitution of other municipalities in India and elsewhere, we came to the conclusion that this set-up that has been embodied in the Delhi Municipal Corporation Bill would be the best under the circumstances. Delhi is a fairly large area, and therefore we considered that it would be proper to have this particular model for applying it to the Delhi area. This is point number one. Another question was raised and on that also, there have been some dissenting minutes and certain amendments. The Municipal Corporation ordinarily consists of councillors who are all elected, naturally on adult franchise. In addition to this, as you are aware,

[Shri B. N. Datar.] Sir, we have introduced the institution of aldermen. Their number is not very large. I would point out to this House how in other cases the number is very large. But it was considered that, in addition to the councillors duly elected from the various constituencies, it would be better if we had the advantage of experienced persons by the institution of aldermen introduced in the Municipal Corporation. We have, for example, Madras and Calcutta. In Bombay, we have not got aldermen as such. But there are certain municipalities—if fairly big municipalities—where this has been introduced. In most cases, it has been found that the aldermen have brought greater experience, greater efficiency and greater knowledge to bear on the municipal administration as such. Whenever this particular type has been introduced, it has worked very well and, therefore, it was considered that, in view of the peculiar position of Delhi, it would be better to have this institution.

So far as Calcutta is concerned, they have got five aldermen and Madras also has got five. We might also take into account the case of the London County Council. The total number of councillors there is 124, which fact hon. Members will understand in this connection. There is also a demand in the form of amendments that the number of councillors itself ought to be increased; in some cases, it should be hundred. In some cases, some of the hon. Members who have tabled amendments, desire that it should be more than a hundred—it might be even 125. Now, we have to take into account one circumstance in regard to these two points.

In respect of aldermen, I have already pointed out that they are likely to be of great help and service not only to the other municipal councillors, but to the municipal administration as a whole. And I would request the hon. Members to understand that these aldermen would

be elected by their municipal councillors. Under these circumstances, all that can be stated is that there is an indirect election here. But the objection that has been raised—the frame of the objection that my hon. friends opposite in particular have raised—is on the basis that these aldermen are something like nominated members or something like those who would support the Government bloc. That is how there is a great misapprehension on this particular point. At least, in this House where we have got indirect election to a very large extent—and I may add that this House has been of great use to us so far as the legislative work is concerned—I submit that, whatever force this particular argument might have in the other House or elsewhere, it ought not to have any force at all so far as this particular House is concerned. As I have stated, this House has been contributing very substantially in regard to making of laws. Therefore, if on this footing, we have put in six members, there ought not to be any serious objection, on principle at least.

Then, I would turn to the second question whether the number ought to be increased. In the original draft of the Bill prepared by the Government, they had put it down as 80. Then, an objection was raised that the population of Delhi was increasing and the proportion was also placed before the Government. This stated that there ought to be at least one municipal councillor for a population of twenty thousand. To a certain extent, this was conceded. We stated that we would accept the principle to a certain extent, but only from the next election, i.e. the second election. The first election will be held during the next year. Here, we have not got the actual figures of the present population. Therefore, what has been provided for is that, for the first election, the number will remain at 80 so far as the councillors are concerned plus six aldermen. For example we shall have a census

in 1961. Then the number might be added or increased up to 100 so far as councillors are concerned always provided that, even if the population went beyond that figure, beyond the figure contemplated, the number should remain only at 100.

Therefore, to a certain extent, the figure of one for twenty thousand has been accepted, subject to the maximum that at all times, the number of councillors in this Corporation should not exceed hundred. Thus, you will find that, so far as this is concerned, we have accepted what was laid down.

Then the next question to which I made a brief reference was regarding the character of the deliberations of the Municipal Corporation. The scheme is that there would be a Municipal Corporation consisting of, as I said, 80 councillors plus 6 aldermen in all. There would be a Mayor to be elected every year. There would be a Deputy Mayor also. The question that the other Party has been raising and on which dissenting minutes have been received is that the Mayor ought to be the executive head of the Municipal Corporation. That is a point on which we have to take a different view. In this connection, may I point out the evidence, testimony, of Shri Aggarwal, who was examined by the Joint Select Committee? Copies of his statement have been supplied to hon. Members. (*Interruption.*) He has a long experience of municipal affairs. If I mistake not, he has been in the Municipal Corporation for about eight years—I speak subject to correction. He was examined before the Joint Select Committee. Therein, he gave his general approval for the present Bill, though he had certain other points to suggest. Without taking much of the time of this hon. House, I would point out that, on this specific question, he is definite! of the view that the purpose; or functions ought to be entirely of a deliberative character. I would read

out to this House what he has stated on page 17 of the pamphlet.

DR. R. B. GOUR: He forgot himself at the cross-examination.

SHRI B. N. DATAR: He is a man of experience and his words are entitled to great weight. This is how the Chairman put the question to him:

"I think you have had enough experience of Municipal administration and would have confronted many difficulties. Do you feel that the Corporation should be a deliberative body and the Commissioner should be in charge of executive functions?"

Here, you will find that the Chairman put a specific question whether the Municipal Corporation and the Mayor together ought to perform deliberative functions and the Commissioner of the Municipal Corporation should have executive authority. This is his reply and this almost disarms my hon. friends opposite. There, he has stated in no uncertain terms:

"This particular feature I welcome in that there is separation of the deliberative from the executive functions. This is a most essential thing for its effective working."

These are not my words, Sir, and I am entirely reading from it:

"My experience of the last thirteen years—

I am glad, Sir, it is not eight, but thirteen years—

"and as President for the last three years is that there is day-to-day interference in promotions, in increments, in transfers."

This is rather an unfortunate state of affairs, but we have to take a realistic view and therefore, coming as this does from the President of a Municipality for three years, with 13 years' experience of municipal administration, it is entitled to weight

DR. R. B. GOUR: Does he mean that the Mayor is subject to influence by Members but an official is not subject to any influence?

SHRI B. N. DATAR: Let the hon. Member wait for his turn. He will have full time. He need not even be asked to limit his time, because we are prepared to hear him out. Let him hear me out.

Then, it goes on:

"The Members take interest in these individually and this leads to very much of trouble."

Then the Chairman says:

"In fact, a combination of these two is largely responsible for the inability of the Municipal Committees and other institutions to achieve all that they desire."

This was the question put to him and he says:

"They must be separated."

This is the view that he has given, and as I have said, this is the view taken in other respects and also so far as the other municipal corporations are concerned, and under the circumstances, we feel that so far as the first Delhi Municipal Corporation is concerned, we should proceed rather cautiously than to take certain steps which might lead to consequences which may not perhaps be necessarily satisfactory. This is the reason why we consider that this ought to be maintained.

Then, so far as the Mayor is concerned, he has been given certain powers, and his position has been fully explained. In this connection may I read to you what the position of the London County Council Chairman—corresponding to our Mayor—is?

"The London County Council is the principal organ of local government in this country. It is also the largest and most important

local authority in Britain. The London County Council consists of 150 members of whom 129 are Councillors and 21 Aldermen. The Council elects each year as Chairman . . ."

whose name has been glorified in India; we call him Mayor—

" . . . who is the ceremonial head of the Council. He presides at the Council meetings and represents the Council at many important functions both inside and outside the Council. He may be chosen from inside or outside the Council."

Thus you will find that so far as this is concerned, we thought it much better . . .

DR. R. B. GOUR: Why not take the example of Tokyo?

SHRI B. N. DATAR: Tokyo is just one case. Let us proceed on grounds which are familiar, on ground which are trodden by others without any insecurity or unsafety, so far as this particular question is concerned, and therefore, so far as the Delhi Corporation is concerned, as you are aware, a number of developments are in the offing, and under the circumstances let the municipal administration be what it ought to be, and that is the reason why, so far as this point is concerned, we have decided that we should follow a path trodden by others with safety and with good results.

Then, another point over which the other Party has raised a considerable amount of vehemence is the question relating to the manner of voting. As you are aware we have accepted adult franchise for the Lok Sabha and also for all the Legislative Assemblies in India. The same is being followed in respect of all the local self-government institutions also, and that will be followed in this respect too. Now, the question arose as to whether the constituencies that will be electing the members of the Corporation should be single-member or double-member or multi-

pie-member constituencies, and in the case of the last category, whether the voting should be cumulative or distributive. This point was discussed and it was considered that it would not be advisable to have the cumulative system of voting under which, if there are four seats, it would mean that one man can cast all the votes in favour of one person. It was considered that such concentration of voting ought not to be allowed, because when a particular constituency has four members, then the ordinary rule of common sense is that the voting ought to be distributed over the four candidates who stand for election from that particular constituency. That is one of the objections taken to this Bill by the hon. Members who have given dissenting notes. It was considered that it would be more advisable to have this system, instead of enabling one candidate absorb or swallow all the votes. That would not be proper. Therefore, so far as this question is concerned, we are following a policy which, I believe, will have the full support of this House.

Then, the next point that I would like to mention to this House is that there are three statutory bodies which are included in the Municipal Corporation. One is for electricity, the second for transport and the third for water supply and sewage departments. Even now, there are municipal corporations where these are independent bodies, to which the Municipal Corporation turns for the respective services. Here what we have said is that in order to make this Municipal Corporation more effective, the General Managers of each of these three bodies should be appointed by the Municipal Corporation. Now, that power has been specifically given. So far as the Municipal Commissioner is concerned, he would be appointed by the Central Government, and we have put in the usual formula under which, if the Municipal Corporation is not satisfied with his work, then a specific majority has been laid down accord-

ing to which it would be open to them to pass a resolution against Municipal Commissioner and then his services would be put an end to. But in the interests of efficiency, in the interests of the various developmental schemes associated and to be associated with the Municipal Corporation in Delhi, it was considered advisable and essential that the Municipal Commissioner should be an officer of a fairly high status and he should be the head of the executive body. The same principle is followed in other municipalities.

Then, in respect of these three bodies also—I do not want to go into the details of these particular matters but may I just point out—the Municipal Commissioner is there in every one of them, and therefore there is co-ordination. There, representation is given to others also, and thus it will be found that there would be very good co-operation and co-ordination between these three bodies and the main or the parent Municipal Corporation itself. So this has been purposely introduced so that we have very satisfactory turn-out of work without there being any conflict between these various bodies. Then we have introduced certain other features so far as the main work of the Municipality is concerned. In this respect, may I point out . . .

SHRI J. S. BISHT (Uttar Pradesh): Before the hon. Minister proceeds further, may I seek a clarification from him? In this scheme of officers you have separated the General Manager for Transport and the General Manager for Electricity. That is all right. I can also understand about the Accountant or the Chief Auditor but so far as the Secretary and his Subordinates are concerned, they are also separated from the commissioner. They are not under the subordination of the Commissioner. How is it?

SHRI B. N. DATAR: That question was considered and it was thought that so far as these officers are concerned, it would be better to place them in

[Shri B. N. Datar.] the manner that they have been done. I shall explain this particular question when that particular provision comes in but I am here pointing out the general picture that has been laid before this House so far as these three bodies on the one hand and the Municipal Corporation on the other hand are concerned.

It was contended that there ought to be more powers given and something more should be done. So far as the particular form of the Municipal Corporation is concerned, some objection was taken in the other House and some objection is taken in this House also and in this connection I would read to you a few extracts from the Report of the States Reorganisation Commission. I invite the attention of the hon. House to paragraph 593 and then I would read certain portions from page 161:

"It may be pointed out that the legal residents of the District of Columbia in the U.S.A. are at present totally disfranchised and do not in any way participate in Government at either the federal or State or even the municipal level."

As they rightly point out, they have to pay some price or penalty for having the honour of having the capital of that particular State, in this case the capital is the capital of the United States. That is the reason why they have stated . . .

DR. R. B. GOUR: That is the American way.

SHRI B. N. DATAR: We have not done that so far as Delhi is concerned. Here in this case the people of Delhi have representation in both the Houses of Parliament and therefore we have improved the position to a certain extent on what obtains in Washington. The report says:

"They are at present totally disfranchised and do not in any way participate in government at either the federal or State or even the municipal level. As we have stated

elsewhere, the people of centrally-administered areas in India are more advantageously placed than those of the centrally-administered territories in other important federal countries in that they have full representation in the Union Parliament."

Therefore there is no question of disfranchising the people of Delhi or any other Central area. They have also recommended that there should be municipal autonomy. They thought at that time that an objection is likely to be raised by the other party that in view of what the Members of the Commission have stated, there ought to have been one Municipal Corporation without exception of any areas altogether. That was not the question specifically before them and that is the reason why in the next para, they have pointed out that:

"The municipal set-up of Delhi should follow a two-tier model on the lines of the London County Council or whether there should be one or two corporations of the pattern already under the consideration of the Government of India. These are matters for the consideration of the Government."

Therefore I would point out that so far as this question is concerned, that was naturally left by them after considering what ought to be the political and administrative set up for the Delhi State. They incidentally dealt with the objection that was raised that as a result of these new changes, there would be complete disenfranchisement. That has been answered by them but so far as the question of having either one municipal Corporation or two, they left the question at that. Quite naturally, because they were not directly concerned with this particular question. So I submit that this question was considered in all its aspects and then it was thought that the small area of about 28 square miles should be excluded and the others should be entirely transferred to the Municipal Corporation and the



area, as I have pointed out, is 510 square miles.

Another point on which the other party is likely to raise some discussion would be as to what ought to be the functions of the Municipal Corporation. Regarding that we have classified all these functions into two broad categories—one is the imperative list or the compulsory list. So far as the compulsory list is concerned, the Corporation has to carry on their activities in respect of all these items. You will find from the report of the Joint Select Committee that certain further items have been added like fire service etc. to the original compulsory list and in the compulsory list we have also got primary education. In other words, so far as the primary stages of education is concerned, that is a matter which has been left to the Municipal Corporation and they will have to look after and handle the question of primary education to the fullest extent. Now it was contended and it will also be contended now that in addition to primary education which is an imperative subject in the Municipal administration, they should also have within their jurisdiction or orbit secondary education and spread of literacy and adult education as well. Now so far as the secondary education and these items are concerned, as you are aware, the question of secondary education is, at least so far as Delhi is concerned, a fairly difficult one. As the Home Minister pointed out only the other day in the other House, the condition was not very satisfactory at all and early this year he had to persuade the Finance Ministry to place a large sum of money specially to the extent of about Rs. 26 lakhs for the purpose of improving to a certain extent the housing conditions for accommodation of these secondary schools. Under the circumstances, it ought to be considered as to whether in addition to primary education which has to be handled by the Municipal Corporation and which also would require a very large amount because

the number is very large here and therefore in addition to the burden which they will have to bear in respect of education, the question arises as to whether secondary education also should be transferred to the Municipal Corporation or should remain under the Delhi Administration. Because as I have stated, very large amounts have to be expended and the efficiency and improvements have to be brought upto the highest level. Therefore in the interest of the Municipal Corporation itself, the Government stated that it ought to remain with the Administration. It does not mean, however, that if in a particular case the Municipal Corporation is desirous of starting a particular institution itself—as in Bombay, you are aware, the Municipal Corporation has been running a Medical College itself with the munificence from private quarters—now it would be open to the Municipality as the other bodies if they like to start such institution either in the secondary education field or in others if they are so minded but you will find that that ought to be considered as a discretionary matter because we have a fairly large list of discretionary matters where the Municipality can interest itself in only after it feels that its primary activities have been duly and fully attended to not only so far as finances etc. concerned but so far as the attainment of the highest efficiency in Delhi is concerned. That is the reason why secondary education has been kept separate to certain extent. Then we have got the other usual provisions.

One point I would like to mention at this stage and that relates to the proposal to establish the Delhi Development Board. According to the scheme of things that we have in view and according to the opinion of the Joint Select Committee and also according to the support which has been received from the other House, there would be a separate body known as the Delhi Development Board. Now, there are some hon. Members

[Shri B. N. Datar.] who have put in their minutes of dissent and some others are also likely to raise this question as to whether this Delhi Development Board should be a separate body, separate from the municipality or whether it should be a part of the numerous bodies, statutory or others, that the Corporation would appoint. So far as this is concerned, it is analogous to what are known as improvement trusts. There are improvement trusts here and there. We know that in Bombay there was a municipal trust, but ultimately that was taken over by the Bombay Municipal Corporation. So far as Bombay is concerned, as I have already said, this particular corporation has been carrying on its work in a highly successful manner and I would like to point out that in view of this very successful administration the Bombay Municipal Corporation was able to come to a stage when it could take over and handle satisfactorily also the improvement work and the development work. Here you will find that so far as Delhi is concerned, the Delhi Municipal Corporation will still have to fight a number of difficulties so far as these matters are concerned and we would take long and the Delhi Municipal Corporation would take at least some years to approximate to the high standard of the Bombay Corporation. That is the reason why it was necessary to have the Delhi Development Board as a separate board and its functions etc. should also be separately provided for. I may point out in this connection that so far as the development of Delhi is concerned, it has not been going on in a very satisfactory manner at all. It is highly unsystematic and buildings are being constructed in a more or less haphazard manner to the bewilderment of not only the authorities but also of the people as well. All this has got to be checked. It may also be pointed out in this connection that the incidence of unauthorised occupation of Government and other

lands and the unauthorised construc-

tion of buildings is very large, is almost phenomenal here. Under these circumstances, you have to bring order out of—I would not call it chaos—but out of very great disorder. All this is a Herculean task and the question is whether in its inception, this infant Municipal Corporation of Delhi should be saddled with the responsibility of looking after all these developmental schemes. As you are aware, the great question that has to be solved almost immediately is the preparation of a master-plan for Delhi. And Delhi has developed and is developing beyond all calculations. We have got the largest refugee population. Therefore, here you will find that the question has to be satisfactorily tackled and that can be done only by an independent body like the Delhi Development Board. There is another Bill which has also been passed in the other House and which will be coming up before this honourable House for consideration. But it may be pointed out that the work of the Delhi Development Board has been so devised as not to affect the desire or the activities of the Municipal Corporation to the extent that they propose to go so far as developmental projects are concerned. Therefore, we have laid down certain restrictions. One is that the Delhi Development Board would not be in charge of all development work within the Municipal Corporation's jurisdiction. They would settle in consultation with the Municipal Corporation certain areas for development. They would be known as "notified areas." So the preparation of the master-plan is one and then the development of certain areas is another. The Delhi Development Board would not at the same time take up development in all directions and would not cover the whole area at all. If the Municipal Corporation finds that it has funds, it has resources to deal with developmental projects as well, then it will have enough scope for dealing with them, in addition to what the Delhi Development Board would be doing, only so far as

Notified Areas are concerned. After all, this development work is, more or less, common, or of common interest to the Municipal Corporation, as well. That is the reason why a scheme has been proposed so far as the constitution \*f the principal Delhi developmental authority and its advisory councils are concerned. There there is large representation given to the Municipal Corporation. The Municipal Commissioner is a member of these bodies and of the Delhi Development Board. Thus there will be co-ordination and there will be full scope for work on co-operative lines between the Municipal Corporation with its three statutory bodies on the one hand and the Delhi Developmental authority on the other. So it will be seen that in view *at* the peculiar position of Delhi, it was considered necessary and advisable that this development work should be carried on in this way, so far as these two objectives are concerned, namely, the preparation of the master-plan and the development of certain notified areas. Barring these, it would be open to the Municipal Corporation, within the frame of this master-plan and after keeping aside what the Delhi Development Board is doing, to do whatever they desire even in respect of the Delhi Development Board. That is why the two bodies have been kept separately.

Lastly, so far as the Delhi Development Board is concerned, it would be understood that it is not a permanent body. It is a body which has been brought into existence for two purposes, or rather for the twin purposes that I have pointed out. Tho-eafter, after this work has been done there is provision in the Bill itself that after this work has been substantially accomplished, the Delhi Development Board would naturally be disbanded and this work will go to the Delhi Municipal Corporation itself. Thus we will find, if we take the two bodies in their proper perspective and remember that there is urgency and great need for the Delhi Development

Board and also remember that we have provided for a machinery for co-ordination so far as the two bodies are concerned, I am confident that this House would agree that it would be better if they work independently, though through these co-ordinating lines, and the maximum results for the development of Delhi would thereby be accomplished. And ultimately, as I have stated, all that the Delhi Development Board would have done would inure to the permanent and lasting benefit of the Delhi Municipal Corporation.

May I continue? It is one o'clock.

THE VICE-CHAIRMAN (SHRI M. B. JOSHI):  
: Two or three minutes?

SHRI B. N. DATAR: I would require about 20 to 25 minutes more.

DR. R. B. GOUR: Sir, today the Business Advisory Committee has . . .

THE VICE-CHAIRMAN (SHRI M. B. JOSHI):  
Yes, I have to make an announcement.

1 P.M.

#### **ALLOCATION OF TIME FOR DISPOSAL OF GOVERNMENT AND OTHER BUSINESS**

THE VICE-CHAIRMAN (SHRI M. B. JOSHI):  
I have to inform hon. Members that the Business Advisory Committee at its meeting held today has recommended allotment of time as follows for Government legislative and other business during the remaining part of the current session of the Rajya Sabha:

##### **• GOVERNMENT BILLS**

1. The Delhi Municipal Corporation Bill, 1957 as passed by the Lok Sabha . . . 7 hrs.
2. The Damodar Valley Corporation (Amendment) Bill, 1957 as passed by the Lok Sabha . . . 1 hour
3. The Union Duties of Excise (Distribution) Bill, 1957 as passed by the Lok Sabha . . . 2 hours