

pending in the Supreme Court and various High Courts and also in other courts of the country;

(b) whether Government are not able to realise revenue worth crores of rupees because these cases are lying undecided;

(c) if so, the details of such cases and the amount to be realised;

(d) whether Government propose to set up separate prosecution Directorate for custom duty and Central Excise duty Departments so that these cases may be disposed of speedily; and

(e) if not, the reasons therefor ?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI JANARDHANA POOJARY) : (a) According to compilation of available information the number of customs and central excise cases pending in the Supreme Court and various High Courts was about 15000 as on 31.12.84.

(b) Yes, Sir.

(c) Most of the cases relate to issues having bearing on rate of duty, valuation and, in some central excise cases, excisability of products. Quantification of revenue involved in individual cases is possible only after court decisions are available in those cases.

(d) and (e). Setting up a Directorate of Prosecution cannot expedite the finalisation of these cases as they are to be disposed of by the Supreme Court and the High Courts. However, the question of strengthening the organisational set up in the Department of Revenue and the Custom Houses/Collectorates of Central Excise for dealing with these custom and central excise cases is under consideration.

[English]

**Representation for Inclusion of Cost Accountants in the Definition of Accountant for Tax Audit**

4623. SHRI VISHNU MODI : Will the Minister of FINANCE be pleased to state :

(a) whether various representations have been received by Government to include Cost Accountants in the definition of 'Accountant' for the purpose of carrying out tax audit which was made compulsory by Government by amending Section 44AB of the Income-tax Act last year;

(b) if so, the salient points of these representations;

(c) the reaction of Government thereto; and

(d) when a final decision is likely to be taken in this regard ?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI JANARDHANA POOJARY) : (a) Yes, Sir. The Institute of Cost and Works Accountants of India has sent certain representations in this regard.

(b) It has been contended that members of the Institute of Cost and Works Accountants of India are as qualified and competent as members of the Institute of Chartered Accountants of India, to undertake audit of accounts for the purpose of section 44AB of the Income-tax Act. It has, therefore, been urged that they should be treated at par with chartered accountants.

(c) A Chartered Accountant has the professional qualification and expertise to audit accounts and report on the accounts examined, the balance sheet and the profit and loss account, whereas the expertise of the Cost Accountant is mainly in determination and allocation of cost to products. Besides, under the Companies Act, 1956, only a Chartered Accountant is competent to audit accounts of a company. Therefore, it is not considered appropriate to permit Cost Accountants to carry out audit of accounts for purposes of the Income-tax Act.

(d) Does not arise.

[Translation]

**Opening of Branches of Nationalised Banks of Bharatpur District Rajasthan**

4624. SHRI LALA RAM KEN : Will the Minister of FINANCE be pleased to state :