

Films, (iv) Lotus Productions, (v) Prasad Productions Madras (vi) Sivaji Films(P) Ltd., Madras., (vii) Movie Mughals, (viii) Venus Pictures, Madras, (ix) Screen Gems, Madras, (x) Shri B.K. Adarsh and (xi) Shri S.J. Rajdeo, Bombay; and

(b) the total amount paid by each to Government and the price at which the Ram Films have been sold to them?

THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE AND SUPPLY (SHRI CHOWDHARY RAM SEWAK): (a) and (b). The information is being collected and will be placed on the Table of the House.

Quota of Raw Films

8823. SHRI ARJUN SINGH BHADORIA: Will the Minister of FOREIGN TRADE AND SUPPLY be pleased to state:

(a) whether the quota of raw films allocated during the last three years to each of the Film Companies or Film Producers together with the amount paid by each to Government;

(i) P.S.V. Films, Madras; (ii) Balsubramiam and Co., Madras; (iii) Shri A. Qadeer Bombay; (iv) Shri Jafferli and Saha Fagu, Bombay, (v) Guru Dutt Films (P) Ltd., Bombay; (vi) Shri K.P. Varma; (vii) Shri Amerjit, Bombay, (viii) J.M. Films Bombay; (ix) Gemini Arts (P) Ltd., Madras; and (x) Rainbow Films, Bombay;

(b) whether any complaints have been received against these film companies or film producers that they sold their quota of raw films to other film companies at higher prices; and

(c) if so, whether Government have investigated into the matter?

THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE AND SUPPLY (SHRI CHOWDHARY RAM SEWAK): (a) to (c). The information is being collected and will be placed on the Table of the House.

Quota of Raw Films

8824. SHRI ARJUN SINGH BHADORIA: Will the Minister of FOREIGN TRADE AND SUPPLY be pleased to state:

(a) the quota of raw films allotted during the last three years by Government to each of the following Film Companies or Film Producers who have been given loan by the Film Finance Corporation:—

(i) U.N. Productions, Bombay; (ii) Shri Sudhir Mukerjee, Calcutta; (iii) Shri N.V. Krishnaswamy, Madras; (iv) Shri N. Lakshminpathy, Madras (v) Shri Gajanan Jagirdar, Bombay; (vi) Shri V.M. Joglekar, Bombay; (vii) Shri P.P. Maheshwary (viii) Shri Basu Bhatt Acharya, Bombay; (ix) Bombay Movieton (P) Ltd. Bombay; (x) Shri Sadashiv J. Row Kavi, Bombay;

(b) whether Government have received complaints that these Film Companies or Film Producers have sold their quota of Raw Film to other Film Producers at higher rates; and

(c) if so, the action taken thereon?

THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE AND SUPPLY (SHRI CHOWDHARY RAM SEWAK): (a) to (c). The information is being collected and will be placed on the Table of the House.

Allocation of Quota of Raw Films

8825. SHRI ARJUN SINGH BHADORIA: Will the Minister of FOREIGN TRADE AND SUPPLY be pleased to state:

(a) the quota of Raw Films allotted during the last three years by Government to each of the following Film Producers or Film Companies who have been given loans by the Film Finance Corporation:—

(i) Gope Productions, Bombay; (ii) Shri Ramachandra Thakur, Bombay; (iii) Emges Films, Bombay; (iv) Shri R.R. Dave, Bombay (v) Rajan Films, Bombay; (vi) Bimal Roy Pictures Bombay; (vii) K.G.

Pictures, Bombay; and (viii) Film craft (P) Ltd., Calcutta.

(b) whether Government have received any complaints from these Film Companies that they got less quota of raw films; and

(c) if so, the action taken thereon?

THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE AND SUPPLY (SHRI CHOWDHARY RAM SEWAK): (a) to (c). The information is being collected and will be placed on the Table of the House.

12-00 hrs.

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

INVALIDATION OF CERTAIN SECTIONS OF GOLD CONTROL ACT

SHRI S.S. KOTHARI (Mandsaur): I call the attention of the Minister of Finance to the following matter of urgent public importance and request that he may make a statement thereon:

The Supreme Court decision invalidating certain sections of the Gold Control Act and the Government's reaction hereto.

THE DEPUTY PRIME MINISTER AND MINISTER OF FINANCE (SHRI MORARJI DESAI): Mr. Speaker Sir, I rise to make this statement on the Calling Attention Notice on the matter arising out of the recent judgment of the Supreme Court declaring certain provisions of the Gold (Control) Act, 1968, invalid.

On 30th April, 1969, the Supreme Court delivered its judgment in three writ Petition matters relating to Gold Control. The petitioners were licensed dealers and/or money-lenders.

The common and the most important plea raised in these Writ Petitions was that the Gold (Control) Act, 1968, was beyond the legislative competence of Parliament under Entry 52 of List I (Union List) and Entry 33 of List III (Concurrent List) of the Seventh Schedule. The Supreme Court

has upheld the constitutional vires of the Gold (Control) Act, 1968 and found it to be entirely within the legislative competence of Parliament.

Apart from this main pleading, the validity of about 26 provisions of the Gold (Control) Act was challenged on the ground of being violative of Article 19(1)(f) & (g) and Article 14 of the Constitution. Most of the impugned provisions have survived the challenge. The provision about which the licensed dealers were most exercised was the one contained in Section 16(7) which requires every licensed dealer and refiner to declare his entire personal belongings of gold articles and ornaments. The validity of this provision has been upheld by the Court.

The provisions declared invalid are—

(i) Clause (b) of sub-section (2) of Section 5:

This is a general provision as distinct from the other specific provisions in the Act, empowering the Administrator to regulate by licence, permit or otherwise the manufacture etc. of gold.

(ii) and (iii) Clause (d) of sub-section (2) and sub-section (6) of Section 27:

Section 27 of the Act deals with the licensing of the dealers. Clause (d) of its sub-section (2) provides for imposing of conditions in the licence issued to the dealers; and sub-section (6) deals with the issue and renewal of dealer's licence and *inter alia*, lays down the guidelines for the same.

(iv) Section 32:

This provides for possession of primary gold by licensed dealers and, *inter alia*, lays down the quantitative limits on the dealers' possession of primary gold other than that in the form of standard gold bars.

(v) Section 46:

This provision is a corollary of Section 32 and provides that the primary gold in the possession of the artisans employed by a licensed dealer shall be subject to