

**GOVERNMENT OF INDIA  
FINANCE  
LOK SABHA**

UNSTARRED QUESTION NO:3072

ANSWERED ON:15.03.2013

SEIZURE OF ILLEGAL ASSETS

Choudhary Shri Bhudeo; Ganpatrao Shri Jadhav Prataprao; Jardosh Smt. Darshana Vikram; Lal Shri Kirodi ; Mishra Shri Mahabal ; Ray Shri Rudramadhab ; Singh Rajkumari Ratna; Singh Shri Radha Mohan; Swamygowda Shri N Cheluvarya Swamy

**Will the Minister of FINANCE be pleased to state:**

- (a) the details of illegal goods/assets seized/found in the course of Income Tax raids or in the factories and customs points during each of the last three years and the current year;
- (b) the details of prosecutions made and punishments awarded in this regard during the same period; and
- (c) the details of cases wherein the accused got acquitted during the course of prosecution along with the steps taken/ being taken to plug the loopholes in the relevant/concerned laws?

**Answer**

MINISTER OF STATE IN THE MINISTRY OF FINANCE (Shri S.S.PALANIMANICKAM)

- (a) In the searches conducted by the Income Tax Department during F.Ys. 2009-10, 2010-11, 2011-12 and 2012-13 (upto December, 2012), unexplained assets of about Rs. 963.50 crore, Rs. 774.98 crore, Rs. 905.60 crore and Rs 453.54 crore, respectively were seized.
- (b) Seizure of unexplained assets itself does not lead to launching of prosecution under the Income-tax Act, 1961 [Act]. Evidences gathered during the course of search and seizure actions including the unexplained assets seized, as also during the post-search enquiries are used, inter alia, for making assessment of total income following the quasi-judicial process prescribed in the Act. Chapter XXII of the Act provides for offences and prosecutions. Prosecutions are launched in appropriate cases on satisfaction of the conditions prescribed in the Act.
- (c) Does not arise in view of reply to part (b) above. However, out of 1548 prosecution cases decided during the F.Ys. 2009-10; 2010-11 and 2011-12, the number of convictions and cases compounded together accounts for 868 which indicates a fairly good success rate in respect of prosecutions under the Act. With a view to make further improvements in this regard, various measures have been taken including introduction of enabling provisions for Special Courts and Special Public Prosecutors by the Finance Act, 2012.