

14.42 hrs.

**CUSTOMS TARIFF (AMENDMENT)
BILL**

MR. DEPUTY-SPEAKER: Now we take up legislative business Shri Satish Agarwal.

THE MINISTER OF STATE IN-
THE MINISTRY OF FINANCE (SHRI
SATISH AGRAWAL): Mr. Deputy-
Speaker, Sir, I beg to move:

"That the Bill further to amend
the Customs Tariff Act, 1975, be
taken into consideration."

Sir, the statement of objects and reasons attached to the Bill gives its broad background and purpose. The Customs Tariff Act, 1975 which came into force on 2nd August, 1976 brought in a new format and scheme of tariff nomenclature. Prior to this the rates of customs duty on goods imported and exported from India were specified in the schedules to the Indian Tariff Act, 1934 which was enacted as long ago as 1934.

The postwar years brought about considerable increase in the economic and industrial activities in the world and the trade amongst the countries also increased. Matters concerning customs tariffs and techniques came in for considerable attention as being amongst the important means of facilitating the expansion and growth of the International trade commensurate with the dictates of the national policy.

Some important industrial and trading countries agreed to set up in the year 1952 an international body called the Customs Cooperation Council, with the main object of harmonising the customs procedures, techniques and the tariff codes. This body expanded, over the years, with more and more countries joining in as members. India became its member in 1971. One of the Conventions of this Council is called the Nomencla-

ture Convention which recommends a uniform code of Customs Tariff for the signatories. The Code is commonly referred to as the Customs Co-operation Council Nomenclature or the CCCN. The CCCN is now in use in 125 countries all over the world. The schemes of CCCN is designed to ensure easy and speedy classification of goods for the Customs Tariff purposes, reduce the area of dispute and to make for uniformity in its application of the course of international trade.

Having regard to these advantages and to the increasing importance of our external trade in the context of our total economy, it was felt that we should revise the Customs tariff to bring it into alignment with the CCCN. The Customs Tariff Act, 1975, was therefore, passed by Parliament and came into force on 2nd August, 1976. We could not, however, adopt the CCCN *in toto*. Such of the headings of the CCCN as related to articles which are not of much significance in our import trade, were merged into one or more adjacent headings because it was felt that this would simplify the scheme of the Nomenclature and make it better suited to our pattern of trade.

The adaptation of CCCN for our tariff was later examined in consultation with the Customs Co-operation Council. The Council pointed out that, in some cases as a result of this adaptation, there has been a departure, in our tariff, from the scheme of the CCCN itself. While in some instances, the departure had been consciously made, there were some areas where no purpose or advantage was derived by making a departure from the scheme of the CCCN. It is necessary, therefore, to correct these latter departures. The Bill seeks to carry out changes which have been considered necessary for a better alignment of our tariff with the CCCN in his respect.

Another reason which has necessitated some of the amendments which the Bill seeks to make is that the Customs Cooperation Council had recommended to its member, some time ago, the adoption of certain amendments to the existing CCCN with effect from 1st January 1978. These amendments which, according to the Council's recommendations, have come into force with effect from 1st January, 1978, are mostly of technical nature and seek to define more clearly the scope of some of the headings. This Bill seeks to incorporate only such of these amendments as are necessary in the contracted version of the CCCN adopted by us. Accordingly, amendments which are not necessary in view of the contraction of the headings in our tariff have been omitted. Similarly, the amendments which are contrary to the provisions of the Customs Act, 1962 have not been included.

As the Hon'ble Members are aware, we have over the years, been having arrangements with the United Kingdom and certain other countries for preferential Customs Tariff for our mutual trade. These were contained in UK-India Trade agreement, 1939. On the UK joining the European Community, it was decided to end this agreement and the preferential arrangements with the UK were phased out in stages. Section 4 of the Customs Tariff Act, 1975 which is sought to be amended by this Bill contains the enabling provisions to terminate the preferential arrangements. With effect from 1st July 1977, preferential rates for the goods of the United Kingdom origin were discontinued by the issue of appropriate notifications under the aforesaid enabling provision. The present Bill, therefore, also seeks to omit column (4) of the First Schedule to the Customs Tariff Act which relates to preferential rates of duty for the goods of the United Kingdom origin

and to make consequential amendments in Sections 4 and 7 of the Act. The preferential arrangements with the preferential areas other than the UK are containing undisturbed.

The Bill specifies that the Amending Act shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

The changes sought to be made in the Customs Tariff Act by this Bill are all of a formal nature, with no direct or significant revenue implication.

Sir, with these words, I move that the Bill be taken up for consideration.

MR. DEPUTY-SPEAKER: Motion moved: "That the Bill further to amend the Customs Tariff Act, 1975, be taken into consideration."

SHRI MANORANJAN BHAKTA (Andaman and Nicobar Island): Mr. Deputy Speaker, Sir, Firstly I am disappointed by the version of the hon. Minister, who is the mover of the Bill and who is well known for his dynamic action.

As Custom is one of the very vital revenue earning departments, I expected that the Minister might be giving some hints about the performance of the department in the last sixteen months. I expected that he might give some hints about the various efforts to curb the increasing smuggling in the country. Every now and then, even in big cities, smuggling goods are again coming up, though the big smugglers have taken to sanyas. Even then, their activities are not minimised. We find from the newspapers that a large number of watches and a huge quantity of gold have been confiscated. It is also necessary to know in this context as to how many raids have been conducted by this time. What

[Shri Manoranjan Bhakta]

is the total figure of the smuggled goods seized so far? At the same time, until and unless the minister is assisted by a good set of officers, whatever amendments we may pass here, they cannot be implemented properly and the country cannot get good results. I can cite one example Mr. Badamai is a very well-known and good officer who should have been taken as a member of the Board. But we find that he has been posted on some unimportant duties. It is mentioned outside that he took the step of prosecuting the Goenkas and so the Government are not interested in keeping him in this job.

SHRI KANWAR LAL GUPTA (Delhi sadar): He was transferred during Mrs. Indira Gandhi's time.

SHRI MANORANJAN BHAKTA: But later on he was brought back.

We find that smuggling activities have considerably increased in the country and it is very necessary to have a comprehensive study of the customs affairs. The minister is very dynamic and he is very hasty to bring such Bills. He should take some more pains. I have gone through the 1975 amendment. It went to a Select Committee which took considerable time to study it. The minister has rightly pointed out that these are very technical matters and it is not easy for the common members to understand. That is why it is very necessary that the minister should take some Members of Parliament to different international airports and other places and explain the whole functioning of this department, so that the members may be educated in these matters and they may be able to give proper suggestions to the government.

In the customs department we always find a lot of corruption. When our people who are working in foreign countries come back to India, they bring some articles purchased out of their hard-earned money. But all the customs formalities are dumped upon them whereas in the case of smug-

glers who bring in valuable things. I feel the customs department is lenient. It is necessary that the Government should look into this matter and see how it can happen. When bona fide passengers who are working outside India come back to this country and when they bring some articles purchased out of their hard-earned money, the government should be considerate towards them.

I welcome the dropping of section 4. This is one of the very good amendments he has brought. I do not understand why we should have preferential areas in the present context of international trade. This is a good move and I support it. I again express the hope that the minister will come forward to educate the members about these technical matters.

श्री कंवर लाल गुप्त (दिल्ली सदर) : मैं इस विधेयक का पूरी तरह से समर्थन करता हूँ। मैं मानता हूँ कि यह आवश्यक था। लेकिन यह विधेयक केवल टकनीकल बातों को ले कर ही लाया गया है, यह कम्प्लैट नहीं है। कस्टम विभाग को और ज्यादा अच्छा और ऐकीजियेट बनाने के लिये और कर्गजन को दूर करने के लिए मैं आशा करता था कि मंत्री जी एक कामश्च्रीहेंसिव बिल लाते तो और अच्छा होता। जो बात मेरे मित्र ने कही है उसमें बजन है। यदि हम देखें कि इमर्जेंसी के बाद आपने स्मगलर्स के खिलाफ काफी कार्यवाही की है और कुछ लोगों को पकड़ा भी। लेकिन समझ में नहीं आता कि उनको पकड़ कर आप क्या करते हैं किसी को पता नहीं लगता। न आप यह बताते हैं कि कौन पकड़ा गया, क्यों पकड़ा गया, न उनका नाम बताते हैं। क्या बात है जो आप उनके नाम नहीं बताते? जहाँ आपने उनके खिलाफ कड़ी कार्यवाही की है, उसके कुछ परिणाम भी देखने को मिले हैं वहाँ जो स्मगलर्स पकड़े जाते हैं उनके नाम और पते और उन्होंने क्या काम किया है यह सब अखबारों में पूरी तरह से छपना चाहिए ताकि एक सच्चा तो उनको

मिल जाय कि जनता की निवाह में वह गिरे तो सही। आज तो वह करोड़ों रुपये स्मगलिंग से कमाने हैं और जनता को मालूम न होने से उनका समाज में सम्मान और आदर होता है। समझ में नहीं आता कि जनता पार्टी के घाने के बाद इस नीति में आपने परिवर्तन क्यों नहीं किया ? मंत्री जी इस बारे में कुछ बताएँ।

दूसरी चीज यह है कि जैसे-जैसे समय बीतता जाता है वैसा-वैसा स्मगलिंग का आर्टिफिकल थ्रॉ सिस्टेमेटिक होता जा रहा है और इसमें बड़े-बड़े लोगों का इन्वोल्वमेंट होता है। हम समाचार-पत्रों में पढ़ते हैं कि बहुत सारे डिप्लोमैट्स भी इसमें शामिल हैं। हम सब देशों के साथ मित्रता रखना चाहते हैं लेकिन उम्मा यह अर्थ नहीं होता कि वहाँ के डिप्लोमैट्स या वहाँ के अधिकारी जो हमारे देश में है वह अपने अधिकार का दुरुपयोग करें। करोड़ों रुपये का मान उन डिप्लोमैटिक चैन्स के जरिये भारत के अन्दर स्मगल होता है और भारत से बाहर जाता है। यह स्वयं आपने माना। आपको याद होगा इस संबंध में मैंने प्रधान मंत्री और आपके विभाग को लिखा और प्रधान मंत्री जी उस पर कुछ कार्यवाही करने वाले हैं। तो यह जो बीमारी है इसको दूर करने के लिये अथवा 15 महीने हो गए, कुछ न कुछ मोचा होगा। क्या मोचा है यह भी बताइए ताकि यह चीज ठीक हो सके।

गोल्ड स्मगलिंग के बारे में कुछ कहना चाहता हूँ। आपने गोल्ड की स्मगलिंग रोकने के लिये मोना बेचना शुरू कर दिया और यह कहा कि यह दामों को गिराने का उद्देश्य नहीं है, यह केवल स्मगलिंग रोकने का उद्देश्य है। और फिर आपने एक बयान दिया कि विदेशों से भी सोना मंगवायेंगे और उसके जेवर बना करके बाहर भेजेंगे। इसस लाभ होगा और हजारों लोगों को काम मिलेगा,

इसका मैं स्वागत करता हूँ। सारा सोना खुद नरकरार बेच रही है और सोना बाहर से मंगवा कर के लोगों को यहाँ द रही है। स्मगलिंग रोकने में इससे फायदा होगा। लेकिन मैं पूछना चाहता हूँ कि गोल्ड कन्ट्रोल ऐक्ट की क्या जरूरत है ? जब आपने स्वयं यह कहा कि हम विदेशों से सोना लाकर के लोगों को देंगे, आप स्वयं भी बेच रहे हैं, तो मैं समझता हूँ कि जो इकोनामी पहले गोल्ड कन्ट्रोल ऐक्ट के पीछे थी, मैं मानता हूँ एक नस्ट थी। वह देश की अर्थ-व्यवस्था के लिये घातक था और उसके बाद ब्राहिस्ता-ब्राहिस्ता इसमें कई संशोधन हुए, लेकिन आज जो गोल्ड कन्ट्रोल ऐक्ट बन कर रह गया है, उसका कोई लाभ नहीं होता। उसको रिपील करने के बाद शरीर। मिलियन लोगों को रोजगार मिलेगा और आपको और कठिनाइयों में नहीं पड़ना पड़ेगा। इमलिए इस बारे में भी सरकार ध्यान दे।

15 hrs.

अभी तक कस्टम की क्लीयरेंस की 4, 5 जगहें ही हैं, दिल्ली, बम्बई, मद्रास और कलकत्ता। आज दुनिया बहुत छोटी हो गई है, हमारे यहाँ आने जाने के लिये एयर-बस और बड़े-बड़े हवाई जहाज हैं। बाहर विदेशों से भी यात्री आते हैं और हमारे यहाँ से जो लोग जाते हैं, वह भी लौट कर आते हैं। मेरी मांग है कि आप इस बारे में भी विचार करें कि कस्टम की क्लीयरेंस का एक ही तरीका आसान हो और इसमें जगह भी बढ़ाई जायें। एक दिक्कत मैं इस में आपकी मानता हूँ कि जब तक एयरपोर्ट बड़ा नहीं होता तब तक बड़ा हवाई जहाज वहाँ उतर नहीं सकता, वहाँ कस्टम क्लीयरेंस हो भी नहीं सकता, जो कि स्वाभाविक है। लेकिन मैं चाहूँगा कि आप अपने दूसरे मंत्रालय, सिविल एबीएशन से मिल कर

[श्री कंबर लाल गुप्त]

कोई योजना बनाइये अगले 5 साल के लिए कि कौन-कौन सी ऐसी जगहों है जहाँ कस्टम के सेंटर बनाये जा सकते हैं।

कस्टम के बारे में मेरा कहना यह भी है कि अभी भी इस में बहुत लीकज है। बड़े-बड़े पूंजीपति और बड़े-बड़े लांग हैं, उन के केसेज सी० बी० आई० के पास हैं। मुझे याद है, पी० ए० सी० की रिपोर्ट में बहुत सारे केसेज ऐसे आये जो सी० बी० आई० के पास पड़े हैं, उसमें कई-कई माल लग जाते हैं और करोड़ों रुपये का गवर्नमेंट का रैवेन्यू वहाँ पड़ा रहता है और जो गड़बड़ करते हैं, उनको सजा भी देर में मिलती है।

मैं चाहूँगा कि न्याय करने के लिये ब कस्टम की दिक्कतों को दूर करने के लिये, और कस्टम के कितने केसेज पड़े हैं, उनका एक्सपीडिट करने के लिये आप जल्दी से जल्दी कोई मशीनरी सैट आप करें जिसके मामले कस्टम वॉयलेशन के केसेज आयें और जल्दी निपट जायें और जिन्होंने गड़बड़ की है, उनको जल्दी से जल्दी सजा हो। मुझे मालूम है कि अभी 5, 5 और 10, 10 साल के केसेज ऐसे पड़े हैं जिनमें करोड़ों रुपये का इन्वॉल्वमेंट है। वहाँ पर इतनी देर तक केसेज का पड़े रहना, उनका जल्दी निपटारा न करना, इसके लिये मैं समझता हूँ कि सारे डिपार्टमेंट का रिआर्गेनाइजेशन होना मांगता है जिस से जल्दी केसेज का निपटारा हो, एफीशियेंसी बढ़े और दोषियों को सजा मिले।

मैं यह भी कहना चाहता हूँ कि आप जो स्मगल गुड्स पकड़ते हैं, सीज

करते हैं, कन्फिस्कट करते हैं, उसके बारे में आपने पहले यहाँ पर कहा था कि उन्हें हम वहीं वापस भेजेंगे जहाँ से वह आई है, या हम मिलेटरी कौटीन में भेजेंगे। लेकिन मेरा ख्याल है कि अभी तक सैकड़ों करोड़ रुपये का सामान आज भी आपके माल गोदाम में पड़ा है, वह मड़ रहा है, बेकार हो रहा है। मुझे नहीं मालूम कि अब आप उसे क्यों वापस करना चाहते हैं। जो चीज अमेरिका से 2 डालर में आती है, यहाँ आकर 10 डालर में मिलती है, अब अमेरिका उनको फिर वापस भेजेंगे तो उसके जाने में और अधिक खर्चा होगा तो वहाँ उसे कौन खरीदेगा? आई थिंक बिल इज वि हाइट आक्र एक्स-डिटी। आई कोनार्ड अडरस्टैंड इट। मैं चाहूँगा कि मंत्री महोदय इसके बारे में अपनी नीति स्पष्ट करें। पैरिशेवल गुड्स के बारे में जो पालिसी पहले थी, उसी को जारी रखना चाहिए। उन चीजों का बेचने से सरकार के पास जो जो रैवेन्यू आता है, वह प्राइवेट और डेवेलपमेंट के कार्यों में इस्तेमाल हो सकता है। इसकी कोई तुक नहीं है कि सैकड़ों करोड़ रुपये का माल गोदाम में पड़ा सड़ता रहे और सरकार कहे कि हम उस को वापस भेजेंगे।

SHRI VINODBHAI B. SHETH
(Iamnagar): It is these things which
cause congestion in the ports.

श्री कंबर लाल गुप्त : माननीय सदस्य शिपिंग बोर्ड के चेयरमैन हैं। वह कहते हैं कि इसी की वजह से पोर्ट्स में बहुत ज्यादा कनजेशन रहता है। मंत्री महोदय ये झाँकड़े बतायें कि पिछले पंद्रह महीनों में जो माल कन्फिस्कट किया गया, उस में से कितना माल वापस भेजा गया और कितना बेचा गया,

श्रीर वे क्या क्या कीजें थीं । इससे यह पता चल जायेगा कि यह पालिसी कितनी सफसेसफुल हुई है ।

इमजेंसी के दिनों में जो आफिसर्स पूरी तरह से इन्दिरा गांधी रेजीम के साथ थे जिन्होंनेउन के साथ रह कर उस समय लूट की थी आज भी वही आफिसर इस डिपार्टमेंट में रह कर लूट कर रहे हैं । मैं कोई नाम नहीं बताना चाहता हूँ । मुझे मालूम है कि दिल्ली एयरपोट पर ऐसी इंस्ट्रक्शन्स थीं कि जिस माल के बारे में धवन साहब का टेलीफोन आ जाय, उसको छेड़ना नहीं है । क्या क्या माल चला गया, और आ गया, क्या उन कंसेज के बारे में सरकार ने कोई एनक्वायरी की है ?

प्रो० पी० जी० माबलंकर (गांधीनगर):
कोन धवन साहब ?

श्री कंबरलाल गुप्त : जो मिसेज इन्दिरा गांधी के प्राइवेट सेक्रेटरी थे—आर० के० धवन ।

अगर मंत्री महोदय मुझे उस केस की तफसील चाहते हैं, तो मैं बताने के लिए तैयार हूँ । कितने ही ऐसे केसिज हैं, जिन में सैकड़ों करोड़ रुपये का माल बाहर गया, और आया, और कस्टम्स ने एक पैसा भी नहीं लिया—बैन्ड ब्राइटम्ब पर भी पैसा नहीं लिया । उन आफिसर्स की प्रोमोशन ही हुई है । उन को डिमोट नहीं किया गया है । मैं चाहूँगा कि मंत्री महोदय अपने जबाब में कम से कम उन दोहीन केसिज के बारे में प्रकाश डालें, जो मशहूर हैं, जो सी० बी० आई० को दिये गये थे, जिन की एनक्वायरी हो चुकी है और रिपोर्ट भी आ चुकी है । लेकिन सरकार ने उन के बारे में कोई कार्यवाही नहीं की है ।

एक बात के लिए मैं मंत्री महोदय को बधाई दूँगा कि उन्होंने बैगेज क्लब को सरल कर दिया है, बैगेज को और बढ़ा दिया है । लेकिन उन्होंने अभी भी कुछ कंजूसी की है —शायद बिरादरी का असर है । मैं चाहता हूँ कि मंत्री महोदय थोड़ा सा दिल खोल कर इन क्लब को और ज्यादा लिबरल करें । जो कुछ उन्होंने किया है, उस के लिए मैं उन्हें बधाई देता हूँ । बहुत अच्छा है । शायद उन ने व्यक्तिगत रुचि लेने से ही यह दृष्टा है । लेकिन मैं चाहता हूँ कि बैगेज क्लब और ज्यादा लिबरल हों । इस बारे में ज्यादा कठोरता की आवश्यकता नहीं है ।

मैं इस विधेयक का पूरी तरह से समर्थन करता हूँ । मैं समझता हूँ कि इस का विरोध करने की कोई गुंजायश ही नहीं है ।

SHRI A. C. GEORGE (Mukambapuram): In this discussion I have the unique privilege of saying a few words about the Government which normally, however much we may try and strain our nerves, never does anything to deserve a compliment. I think here is one Minister or one department which might not have brought about revolutionary changes, but there are perceptible evidences of an earnest attempt to improve things.

I am not saying that within the last 15 months he has worked miracles, because I know he is on the job of cleaning an Augean stable, but what I think is a refreshing change is this. There are Ministers and authorities who are making quixotic attempts at proclamations. In fact, in the past 15 months, on the question of national textile policy, Mr. George Fernandes has promised that he will announce within six weeks the exact day for announcing a formal date about the functioning of the textile mills.

SHRI HARI VISHNU KAMATH (Hoshangabad): From one George to another.

SHRI A. C. GEORGE: There are good George and bad Georges, functioning Georges and speaking Georges also.

SHRI KANWARLAL GUPTA: Who is bad and who is good?

SHRI A. C. GEORGE: During the past 15 months about the industrial and textile policies, he has made various announcements promising various dates of further dates when he will exactly proclaim the policy. Amidst all these things, I think Mr. Satish Agrawal is trying to improve things, and that too in a department which is fairly notorious for stubborn resistance to improvement.

I am prepared to understand that intrinsically customs cannot be a progressive department because their job is to prevent a lot of things, ut if you go to the history of the department, you will find that at a time when the Imperial Power wanted to have their economy protected, they had various measures taken. The Minister was mentioning about the U.K.-India Agreement of 1929, but it was a unilateral decision of the Imperial Power that their goods would be allowed.

I do concede that this is a Bill, as he correctly pointed out, which brings in certain technical details and tries to up-date things, rather tries to bring in certain changes to suit the international situation. As he has correctly pointed out, the CCON is dealing with nomenclature, because this department has to deal with hundreds of countries, and goods are coming from all over the world.

Talking about nomenclature. I am reminded of an interesting incident which happened in 1972 when one of the most famous medical institutions in this country, the Christian Medical College Hospital, Vellore, was donated by a good philanthropist, who was a beneficiary of the expert work

of that institution, a pocket paging system. It is a small system which will allow the doctors to go to some particular place in case they are needed. It will work within only two or three kilometres. In my previous incarnation when I used to sit there..

SHRI SOMNATH CHATTERJEE (Jadavpur): You have got a re-birth?

SHRI A. C. GEORGE: Re-birth is a Continuous process.

MR. DEPUTY SPEAKER: It is only a ministerial incarnation!

SHRI A. BALA PAJANORE: (Pondicherry): He is living on hopes.

SHRI A. C. GEORGE: Any politician is living on hopes. It is hope which makes us survive. Even about the next election, we are sitting here hoping we will win. I hope we will come back, including me. Then I tried to find out what exactly was preventing this pocket paging equipment to be given to a worthy institution. I tried to locate the file in the Chief Controller of Imports and Exports office. They said that the file had gone to the Defence Ministry. Then I tried to find out from the Defence Ministry. I was told that it had gone to the Home Ministry. I could understand the file going to the Health Ministry but I could not understand the file going to the Home Ministry. I located the file somewhere near the Home Ministry because somebody invented that it was a wireless system and so, it had to be cleared from the security point of view. This reminded me of the nomenclature. Ultimately, it is a wireless equipment which will call a doctor from where he is working. Anyway, I am glad, our friend is bringing up-date nomenclature. Many of our officers do not know the nomenclature, what is what and all that. There are lot of confiscated things in Bombay, Cochin and other places.

One point which I would like to stress at this occasion is that this Department has got a very vital impor-

tance in the situation of our national economy not from the negative side but from the positive side. During the past one year, the performance of the Commerce Ministry is absolutely dismal. Our imports have gone upto Rs. 6100 crores and our exports have just touched 5400 crores. He has something to do positive on that. I would like to tell Shri Somnath Chatterjee and Shri Kanwarlal Gupta that the performance of the Commerce Ministry has ended us in an adverse balance of payment situation of 700 crores. Then everyday, you are reading that our foreign exchange reserves have gone up. The latest is Rs. 4300 crores. This is very interesting. When we have adverse balance of payment situation of Rs. 700 crores, the foreign exchange reserves have gone up to Rs. 4300 crores. Put together, this comes to Rs. 5000 from? This is where the significance of his Department comes. This money is coming from 1.5 million Indians working abroad including 5 lakh of immigrants in UK. Naturally I have got a tendency to refer to it because I belong to Kerala where we are basically a nomadic tribe. We go to Gulf and other countries and the money is coming from there which swelled your reserves to 4300 crores. What I am saying is: be charitable to them. That is the point I am coming to. What is happening? Struggling is going on by shiploads. But the greatest scrutiny is there in the Bombay Airport where the Rummaging Departments is there. These people who ultimately help to build us, are treated as criminals and enemies of the country. After two or three years of sweating in the desert of the Gulf countries amidst all humiliations and difficulties, when they come back, they may bring a few sarees for their sisters and their neighbours. It is there that the Department functions as gigantic and great heroes, to protect the national economy. I know that he is making his earnest efforts to improve the situation. But the International Airport Authority is another bottleneck and constraint. Most

of the international flights come at 4 a.m. or 5 a.m. These poor people after 26 hours of air journey, when they get down, are thrown before the Customs officers. In spite of best attempts, they do not have enough number of gates to send them in. I am suggesting that now is the time when your Ministry could think in terms of useful spending on modern equipment. If the hon. Minister takes the trouble of going to some of the international airports abroad, he will find an X-ray equipment which will make the best of rummaging and by that method, you can easily find out whether there is something suspicious in the baggage. In this context, I would suggest one thing. The baggage rules must be liberalised. The baggage allowance must be directly proportional to the legal remittances that the passengers have made. When they are coming after one year, maybe during the past year they have sent Rs. 200,000 back home the baggage allowance must be proportional to the legal remittances endorsed by the Ministry or the nationalised banks. That will be doing full justice to the people who are working hard there. The working of this Department has to be improved. I am sure, the hon. Minister, Shri Satish Agrawal, will have a closer look at the Bombay airport.

In this context, I would like to make one more point. One Department is trying to prevent all sorts of facilities being given to them. These people who are working in the Gulf countries are accustomed to certain ethnic food habits. These poor Indians who are working in the desert are accustomed to eating potatoes, onions, spices, pickles, meat and all these supplies used to go from India. We are just starving the cow which is giving us the milk. Exactly the same thing is happening here. We want all these remittances to come. But we do not see that their ethnic food habits

[Shri A. C. George]
are looked into and their requirements are met.

I would like to say that the whole Department's outlook has to be changed. The Indians coming from abroad have to be treated as brothers and as much patriotic as one of them. There may be a few cases where they may go wrong. I am sure, these changes will be forthcoming very soon and that the hon. Minister will be able to make a refreshing departure from the glorious inefficiency that is prevailing in other Ministries.

डा० रामजी सिंह (भागलपुर) :

उपाध्यक्ष महोदय, हमारे वित्त राज्य मंत्री जी, ने जो सीमा शुल्क के टैरिफ के संशोधन का विधेयक रखा है, भले ही वह काफी लम्बा-चौड़ा लगता हो। लेकिन इस में ज्यादातर औपचारिक संशोधन ही किये गये हैं। उसी विधि यह ग्रहण विवाद का विषय नहीं हो सकता है। लेकिन जब सीमा शुल्क के सम्बन्ध में हम लोग चर्चा कर रहे हैं, तो यह अवसर है जब इस के सम्बन्ध में जो दूसरी समस्याएँ उठ खड़ी हो चुकी हैं, उन पर भी विचार किया जाना चाहिये।

देश में इस समय जो आंकड़े उपलब्ध हैं उन के अनुसार प्रतिदिन 3 करोड़से लेकर 6 करोड़ रुपये तक का स्मॉलिंग होता है और इस की पूरी जवाब देही खासकर के हमारे सीमा शुल्क अधिकारियों पर निर्भर करती है। यह ठीक बात है कि जैसे-जैसे विकास हो रहा है, हमारा निर्यात भी बढ़ रहा है; लेकिन जैसे-जैसे निर्यात बढ़ रहा है, स्मॉलिंग भी उम्मी तरह से बढ़ता जा रहा है। यह भी ठीक है कि पहले के मंत्री श्री गणेश ने इस दिशा में एक बड़ा क्रांतिकारी कदम उठा कर तस्करी को रोकने का प्रयास किया था, लेकिन

इधर अखबारों में अब जो खबरें छप रही हैं— मैं यह तो नहीं कह सकता कि उन में कितना सत्य है या कितना झूठ है— लेकिन ऐसा जाहिर होता है कि तस्करी की कश्तियाँ अब फिर से समुद्र के किनारे में चलने लगी हैं, तस्कर फिर से शायद जाग रहा है, इसलिए यह मन में ज्यादा आवश्यक है कि उन के ऊपर कड़ी निगाह रखी जाय।

कहा जाता है कि जब 10 नावें आती हैं तो सीमा के अधिकारी पहले से तय कर लेते हैं कि 9 नावें छोड़ देंगे और एक नाव को पकड़ लेंगे। अगर इस प्रकार का प्राइवेट अरेन्जमेन्ट चलता रहेगा, तो फिर स्मॉलिंग को हम कभी भी रोक नहीं सकेंगे। उपाध्यक्ष महोदय, यह तो हम ने देखा कि पिछली सरकार ने एक बड़ा प्रचारात्मक अभियान स्मॉलर्स को पकड़ने के लिये किया था, लेकिन जब कानून के तहत पकड़ नहीं सके, तो सीमा कानून बनाया और उन को पकड़ा। लेकिन उस के बाद यह बात भी साफ हो गई थी कि उन को पकड़ने के बाद उन में काफी पैसा वसूल करके, 10 करोड़, 20 करोड़ और 50 करोड़ वसूल कर के, फिर उन को छोड़ दिया गया। इस तरह से उस सरकार की नियत स्मॉलर्स को पकड़ने के सम्बन्ध में साफ हो गई थी।

उपाध्यक्ष महोदय, इसलिए आवश्यक यह है कि एक खास इन्टेलिजेंस डिपार्टमेन्ट सीमा के ऊपर जो तस्करी होती है, उस को रोकने के लिये तैनात किया जाय। और यह भी आवश्यक है कि हमारे वित्त मंत्री जी और अधिकारी लोग दूसरे मुल्कों में जा कर देखें कि सीमा शुल्क की चोरी किस प्रकार रोकी जाती है और किस प्रकार से तस्करी को रोकना जा सकता

है। इस प्रकार से हम अपने को बेहतर बना सकते हैं।

एक चीज और भी बराबर सुझाव में दी गई है और कुछ हमारी सरकार ने उस पर अमन भी किया है कि तेज रफ्तार से चलने वाली किश्तियाँ रखी जाएं ताकि समुद्र के 40 मील के क्षेत्र में जो तस्करी सब से ज्यादा होती है, उस पर निगाह रखी जाए और उस को रोका जाए। एडमिनिस्ट्रिवि रिफार्म कमीशन ने टैरिफ कमीशन को खत्म करने की सलाह दी थी लेकिन मेरा कहना यह है कि टैरिफ कमीशन और बी० आई० सी० सी०, इन दोनों को अलग मिला कर इन्डस्ट्रियल प्राइसेज कमीशन बनाया जाए, ना हम उस को कुछ हद तक ठीक कर सकते हैं।

अभी एक चीज और है जिसके लिये थोड़ा सा इस बिल में प्रावधान किया गया है कि किस प्रकार से हम ब्रुसस टैरिफ नामनक्लेचर्स के मुताबिक हम अपने टैरिफ नामनक्लेचर्स को ढाल सकें। इस लिए पृष्ठ 37 पर्वों का नामनक्लेचर्स का चेन्ज है। यह अच्छी बात है कि यह किया गया है लेकिन हम इस संदर्भ में अपने राज्य मंत्री जी से एक निवेदन करना चाहेंगे कि टैरिफ के स्ट्रक्चर को वे थोड़ा सा सरल बनाएं और जैसा एलेन्जेंडर कमेटी ने कहा है कि रेवेन्यू और प्रोटेक्शन एंगल दोनों को मिला कर इस का देखा जाए और सीमा शुल्क की बात को ज्यादा से ज्यादा सिम्पलीफाई किया जाए। इस पर भी ध्यान दिया जाए, यह हमारी राय है।

हमारा देश एक विकासशील देश है और इसलिए निर्यात को धर बढ़ती जाएगी। मेरा कहना यह है कि निर्यात के सम्बन्धों में हम लोगों को लांग

टर्म पालीसी अवनानी चाहिये न कि शार्ट टर्म पालीसी। इसलिए आज इस संदर्भ में हमारे जो वित्त मंत्री जी हैं, उन से मैं एक चीज और कहना चाहूंगा कि निर्यात पर जो हम सीमा शुल्क लगाते हैं, उन में कुछ चीजों के संबंध में हमें एक मानवीय दृष्टिकोण से विचार करना होगा जैसा अभी हमारे माननीय ए० सी० जार्ज साहय ने कहा कि एक्स-रे फोटो, मेडिकल कालेजों के लिए इन्वियमेंट और बेड़ी फूड आदि चीजों के लिए हम को सीमा शुल्क कम से कम रखना चाहिए लेकिन जो वैभव और श्रृंगार की चीजें हैं उन पर सीमा शुल्क का प्रावधान ज्यादा से ज्यादा करना चाहिए।

इस बिल में और कोई विशेष बात नहीं है, केवल ब्रुसस टैरिफ नामनक्लेचर्स को अपनी भारतीय पद्धति में, भारतीय परिस्थितियों में किस प्रकार से अपनावें, इसी पर विशेष जोर दिया है।

इन शब्दों के साथ और अपने इन सुझावों के साथ वित्त मंत्री जी ने जो विधेयक प्रस्तुत किया है, उस का मैं समर्थन करता हूँ।

SHRI A. BALA PAJANOR (Pondicherry): Mr. Deputy Speaker, I congratulate the Minister of State in the Ministry of Finance on a simple reason because—I thought only the Finance Minister, by presenting the Budget, can confuse the Members of Parliament with nomenclature—he has taken this opportunity to compete, I think, with the Finance Minister, because he is also Minister of State in the Ministry of Finance. Giving a document of this type without the parent document—because I was feeling that only certain Members of Parliament alone can take interest in such kind of

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bills—my complaint was, from the very beginning as well as from 1973-74 onwards, that we are not provided with the handbook from your Ministry containing all that; it is not supplied to Members of Parliament. I suppose Members of Parliament are entitled to have all the documents that are available, and we are asked to discuss on a Bill and give our recommendations, suggestions and offer criticism on that. So, I think, on that aspect, I try to understand the entire thing. It is like a lawyer's note: for the last word appearing in such and such a line, substitute such and such a word.

You have been clever enough to say that you have removed the preferential treatment that was given to the goods of the United Kingdom and have thus taken off that bondage with the United Kingdom. That is the only thing that we are able to understand here.

So far as the other matters are concerned, as Mr. George and other Members have correctly stated, they are technical matters. If they are technical matters and if the Members of Parliament are not in a position—I will put myself first in that—to understand them, then we need not waste or spend a lot of time on these. That is, perhaps, the reason why many Members of Parliament—and we have made it almost a practice these days—depart from the contents of the Bill and discuss generally about the working of the Ministry as we do in the case of General Discussion on Budget. Almost all of us do that, and I am also going to follow the same path and discuss something about your Ministry, which has nothing to do with the present Bill, something about your performance in the Ministry because you are providing an opportunity for that by means of this. Actually we are forced to do that. Therefore, to have a healthy, clear and thorough discussion in Parliament of Bills like this, I wish, in future at least, you will follow the method that I have suggested.

Coming to customs, many Members spoke only about Airports. I am sure, the hon. Minister is aware of the fact that the seaports are in a very bad shape. I know two ports in this country personally. The plight of the people who return from foreign countries, as Mr. George explained,—because these days people come from Arabian countries—is very bad. I know the plight of the people who had gone to Singapore, Malaysia and other places 50 or 60 years back; when they return, they feel that they are in the gibbet; it is like a persecution chamber; they are detained for not less than eight hours; and when they come out, they come out with a bitter feeling about their motherland. It is a very sorry state of affairs.

I am reminded here of my College professor who became subsequently a High Court judge, Shri A. S. P. Iyer, he used to say, 'It is an irony in this country, you have to say that you are a foreigner or at least you must go to a foreign country and return and say that you are a foreign-returned'. He used to say, "Let us go to Ceylon and return, so that we can call ourselves 'foreign-returned'." When I say 'foreign-returned', it is only applicable to the upper strata of the society like ICS, etc., and not to those who go to foreign countries and work hard there and improve our coffers of foreign exchange. Unfortunately, when the labour class, the middle class, who had gone out and shed their blood in foreign countries working very hard, come back to India, the treatment meted out to them by our beloved officers at the Customs and also the others who are in authority—when I say 'authority', I mean the people who deal with the appeals of these people—is very bad and pitiable. You are so technical and harsh to these humble citizens who had gone out to earn their livelihood and who have been responsible for improving your coffers of foreign exchange. I would appreciate if the Minister could compare, with statistics, by what amounts we have

improved our foreign exchange by trade and by what amounts by remittances from these 1.5 million Indian nationals abroad who have worked very hard and who have contributed so much for improvement in our foreign exchange position.

Therefore, Sir, in this respect, you have to take very dynamic steps. Members have complimented you, and I am second to none in that, because I know that you work as a silent man. That is very much expected of the Janata Government. It is no good making big lectures, promising many things and then doing nothing. Two weeks back you have relaxed the Baggage Rules. Mr. Kanwar Lal Gupta and Mr. George spoke about that. I was very happy. But this relaxation of Baggage Rules is not sufficient. Only simple arithmetic has been applied without going deep into the principles of Baggage Rules. If a person goes out even for one hour, then he is allowed, I think, Rs. 500 or Rs. 1000—I do not know exactly. But the maximum is only Rs. 2,000. You have not given consideration to the fact that these middle-class people, who go out, work very hard. Mr. George has already pointed that out. I become only second in saying this. We think alike. But, I am afraid, seldom some people differ also. I do not want to go into that. The baggage allowance must be in proportion to the foreign exchange remittances a person has contributed. I noticed or I had the feeling that we are treated better at the Delhi airport than at Madras or Bombay. It may be due to the reason that Members of Parliament's headquarters are situated here. So, it is a question of personal attachment—the treatment they are giving—and not of principles.

So, you have to do a very good job and a very tough job also, in this country, because we find that these days many people are going out and there are a number of complaints that we

are getting, especially from our brethren who have gone out, i.e. Indians, and more especially from the people of the South who go out and earn and increase the country's foreign exchange. If they are treated like this, I am afraid this will also come to a stop.

Secondly, I know pretty well—and it is not fair to name them, also, here—that there is a corrupt line. You must have read this recent interview of Hazi Mastan who is in India today. It is a beautiful interview. You have taken 200 people before JP, our great Lok Nayak, and they all promised: but that man says 'I never promised. I never gave any assurance'. Finally, if you read the last portion of the interview, he admits he is a smuggler. (Interruptions). You may read the last portion.

That is why I said in the beginning itself, that this kind of a technical document must be considered with reason and sense. It is very easy to present it and pass it in a matter of five minutes. But it must be sensible: our discussions must be contributive—and not only for the sake of publication.

So, as I have said, you took 200 people before our Lok Nayak and they gave an assurance, but the top man says 'I never gave any assurance before you'. But in the end he admits, and he is also able to give the *modus operandi* of the great gang. So, what is your plan to curb it? I ask this because a great ideology should be from conviction and not by sheer accident. If I just say it with my lips but it is not from conviction, it is no use.

Now, Members of Parliament also have a fascination for foreign goods. If you should make a check this evening, you will find that almost all Members of Parliament have foreign watches and foreign pens etc. It is a matter of social prestige for us. Unless you root out this idea, it is very diffi-

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cult to control it. I have stopped with Members of Parliament: I do not want to go to the officers because they will be hurt. It is the same case with the officers and the same is the case with the society everywhere. We have some type of people to have a certain amount of fascination for these goods.

It is also being said that our own goods are marked 'Denmark', 'London' etc. to find a better market for them. I hope it is not correct that Government is also patronising it to promote sales inside the country. If Gandhiji were to come back, he will not say this is a correct thing. Some of the goods made here has foreign chalk. If they are shown as made in India they are afraid they may not be purchased and that is the reason why it is shown as made in USA, UK etc.

These are all connected with the Ministry and, to clear the atmosphere, if you go to the people who really work hard outside and, after earning foreign exchange, come back with a certain amount of goods for their personal use, it is not proper. I do not say you should liberalise it, but if you are reasonable to them, this will stop. You should make a serious attempt. I know you are a man who can work hard and can also be sincere in this effort. There are many people in the Customs also who are having corrupt links with this set of people. There is a systematic organisation. We notice only the bigger Hazi Mastans but there are smaller Mastans also in every State. They are having corrupt connection with these people and that is why smuggling activities are increasing in this country.

I think by stopping smuggling activities alone you cannot improve the Customs position because you must also recruit people with a certain amount of calibre. I do not know how far you have control over the recruitment position in your Ministry. (Interruptions).

MR. DEPUTY-SPEAKER: No side-talks please. Do not get diverted by

other Members talking among themselves or addressing you; you address me.

SHRI A. BALA PAJANOR: Many people especially from the southern parts feel that ports like Nagapattinam, Pondicherry etc. are not being given proper encouragement. You may say that it has to be done by the Ministry of Shipping and Transport. At present, the things are concentrated mainly at Madras, Calcutta, Bombay and Delhi. If you can decentralise it—that is the principle of the Janata Government also, I think—it would be very helpful. Let the passengers coming by ships get down at Nagapattinam, Pondicherry and if possible at Karaikkal also, so that the customs authorities need not be centralised at a few places only. (Interruptions).

MR. DEPUTY-SPEAKER: It will be very difficult for the reporters to record this kind of conversation among yourselves. Somebody says something in a very low voice—he almost whispers—and you reply, it becomes very difficult for them to record.

SHRI K. P. UNNIKRISHNAN (Badagara): You are asking us to be louder.

MR. DEPUTY-SPEAKER: I am asking you not to talk among yourselves and I am asking him not to get diverted.

SHRI A. BALA PAJANOR: I have applied this method this evening for the simple reason that we were having a lot of tension in the morning, a lot of shouting, four-five Members shouting at the same time, at least we can have a little relaxation now.

MR. DEPUTY-SPEAKER: You can whisper in the lobby, not here.

SHRI A. BALA PAJANOR: I wish that the Minister of State in the Ministry of Finance will bring forward a new Bill in a different style to have the control of various things in one set. Now, everything is in piecemeal.

I would also request him to supply us the handbook so that we can have a better idea. At present, in the matter of appeals, there are lots of regulations.

Shri George stated that goods that are required for hospitals and educational institutions are entitled to certain concessions at present, but that is not sufficient. This must be given due consideration.

I also want to suggest one thing more. Certain protection has been given to certain articles and you have placed certain things under the category of 'prohibited' to give encouragement to indigenous industry in this country. After some time, that protection should not be given for the simple reason that healthy competition is required for perfection also. Just because you are giving that kind of protection, we do not find any improvement in certain things. You have to make a periodical assessment. Just because we have given a protection say in 1957, it should not be there for ever. When you are giving a go-by to the levy of preferential rates for certain preferential areas, like U.K., you must also consider certain restrictions being put on imports in order to promote local industry. Of course, we have to keep in mind that the foreign exchange is not reduced much. Now that the foreign exchange position is very comfortable, you can give due protection to the local industry and create healthy competition so that the industry achieves perfection.

With these words, I congratulate the Minister, because he has presented this very highly technical Bill, I congratulate him because there would not be any objection in its being passed here, I also congratulate him because there is unanimity in passing this Bill. Lastly, I congratulate him because he is a silent worker.

SHRI DINESH JOARDER (Malda):
Mr. Deputy-Speaker, Sir, the scope of this Bill is very limited and the issues involved are of a technical and formal

nature. It has been stated in the Statement of Objects and Reasons that the Customs Tariff Act passed in 1975 did not include the exhaustive list of all sorts of items of nomenclature and the terminology that are generally used in the customs tariff system. This is an amendment to that Customs Tariff Act, 1975. We appreciate that after such a long period the changes are being made. Since 1934 and onwards several changes have taken place in the matter of export-import trade and also new inventions have been made and in the synthetic and chemical spheres new ingredients and new items have been invented and are used by consumers as well as the industry. So it was necessary that the nomenclatures and the terminologies should be changed accordingly and for that purpose the Customs Tariff Act was passed and now certain other changes are being sought to be made in the present amendment Bill. We welcome these changes. But when we go to the different items of the articles that have been classified under different heads, it is very technical and even a slightest variation in the components and the composition or the ingredients of the articles changes the character altogether and also changes the rate of levy that is imposed according to the schedule of the Bill. This is highly technical and the terms and nomenclatures and the names of the articles are also very technical and not very common not only to the common people but also to the officers concerned and working in the Customs Department in the different sea ports and air-ports. That is why it was very necessary on the part of the Department to set up laboratories and also highly sophisticated machinery and equipment are necessary along with the laboratories to be set up in different centres of customs in the airports and sea-ports so that in the articles that are imported into the country or those which are going to be exported, the qualities and ingredients and components could be easily checked up correctly and the valuation determined and the levy on that article could be as far as possible

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correctly levied. That system is sought to be introduced. I do not know uptill now what measures have been taken towards modernising or rationalising the entire valuation system of this type of technical articles that are being used in our country for the industry as well as for the consumer purposes.

15.47 hrs.

[DR. SUSHILA NAYAR in the Chair]

Also the technical hands are necessary. I do not know whether the personnel in the Customs Department have that sort of training and knowledge to determine and find out the actual quality, the components and the ingredients of the particular articles which are generally used in the chemicals and other sophisticated industries. In the laboratories and other places the training and also that knowledge should be imparted to these officers.

It is also necessary that periodical publications should come out from the Customs Department carrying certain facts and also the rules, the bye-laws and the regulations of the Customs Department should be regularly published so that not only the officers are benefited but also the general people and the persons concerned with the import-export trade or business or transactions in our country and abroad will be able to know the actual position as regards the levy of customs duty on such articles which they intend to carry with them or import or export. Periodical publications should come out from the Department carrying such information and the particulars, and also details of customs tariff system, that should come out in the publication.

There is a lot of disparity and diversity in the evaluation system itself. Equal standard of evaluation is not maintained for the same type of article in some countries. When that is composed of the similar type of components, chemicals, ingredients and particles, that is differently valued at

different times. There is no specific standard of evaluation system prevailing in our Customs Department. Therefore, disparities and diversities in the evaluation system should also be removed.

A lot of things have been said about corruption in the Customs Department. Sometimes in the last week of May, perhaps, our Prime Minister himself made a statement in a public gathering that corruption is still prevailing on a large scale in the Customs Department itself and he gave certain figures. The Department could seize the smuggled goods in 1974 to the tune of Rs. 60 crores and it came down to Rs. 45 crores in 1975 and again to Rs. 36 crores in 1976.

The Prime Minister also went on to say that this was not only because of the check on smuggling activities but because of the incapacity and incapability of the customs officers that the decrease in the seizure of smuggled goods has taken place. This is because of the incapability and because of the corruption rising in the Department. For these reasons the seizure of smuggled goods decreased.

Sometimes the genuine people are being harassed. It has also been pointed out by my friends earlier that in the sea ports and air ports even the bona fide people working abroad are harassed. When they bring the articles, those articles are seized for a longer period. The Customs people cannot dispose of the cases and lot of trouble is faced by the bona fide people working abroad on their coming home. Some system should be adopted for those people who are coming to India and bringing goods which come under the purview of the Indian Customs Tariff Act. That they should inform before hand that they are bringing such and such articles. This should be verified before hand by the Customs people. On verification they should let them go. This or some other system may be introduced by the Customs Depart-

ment so that they may not be harassed when they come to their home country.

The articles seized by the Customs Department at different times are not disposed of. There are a large number of pending cases. A mention to that effect has been made by the previous speakers. And that it takes a long time to dispose of the cases and also to dispose of the seized goods. This should be expedited as fast as it can be. The procedure for seizure of articles is also not perfect. There are many lapses which one comes across. Sometimes it found that the quality of the articles itself gets changed. Things are produced before the court or before the appropriate authority, or they are returned back to the owners. It is found that these articles are changed in between, before they are disposed of after due consideration by the Customs Department. Therefore, something happens in between and these articles are changed. This is a thing which is going on in the Customs Department. This should be checked.

You have the Customs Tariff Act and other Acts. You have similar laws. These are all very complicated in nature. These should be simplified. The common people should understand all these laws. These laws should be simple, so that they are within the knowledge of the common people.

There is one more thing which I wish to bring to the notice of our honourable Minister. It is this. This is about the free trade zone in the country, particularly in the Salt Lake Area. There was a proposal that some free trade zone should be set up at Calcutta, at the Salt Lake Area. I want to know whether the Minister has considered that proposal yet. If so I want to know, when it will come up.

In respect of levy of customs duty, it is my request that the small scale industries, cottage industries and handicrafts industries should be help-

ed. You are giving concessions to big houses. You give concessions to jute-mills, to textile mills, to big sugar magnates. But you should give these concessions in respect of customs duty and excise duty to these small industries, cottage industries and handicrafts industries. They are spread all over the country. They are existing even in our remote villages. But they are not getting these concessions. When they export their articles to foreign markets they are not getting any concessions. You have big cartels and other big consortium arrangements in respect of big industries. But the small industries are not getting a similar or equal treatment or justice or the benefits which are going to the big industries. This position should be rectified. My submission is that these small scale and cottage industries should be helped and encouraged and their interests should be safeguarded. All the requisite concessions should be given to them when they export their articles to foreign markets in the matter of customs duty and excise duty. This is the respectful submission that I wish to make to the hon. Minister.

16 hrs.

Then, regarding the Gold Control Act, the hon. Member, Shri Kanwar Lal Gupta made a point. I also demand that that Act should be repealed.

Regarding gold control system, gold auctioning by the RBI and also the import of gold into this country, your policy should be thoroughly reviewed again. The racket is going on. There is a big racket in the gold products—ornaments—and gold is still being smuggled. So, you should remove the Gold Control Act. There are small industries engaged in manufacture of ornaments in cities and towns in various parts of the country. The goldsmiths have their own small shops. They are the actual manufacturers. But, some big people having their own

[Shri Dinesh Jaiswar]

sign boards and having their trade in export and import are getting all the benefits to their interests to the detriment of these small goldsmiths and the shopowners. This aspect of the matter should be carefully gone into. With these observations, I welcome this Amendment Bill.

श्री ठुकम बेच नारायण दास (मधुबनी):
सभापति महोदय, अभी जिस विधेयक पर यहां चर्चा हो रही है इस पर बोलते हुए तस्करी पर, सीमा शुल्क विभाग में ब्याप्त छप्पाचार पर और जो माल आयात किया जाता है उस के कई गम्भीर मुद्दों पर कई माननीय सदस्यों ने अपने विचार रखे हैं। मैं यह जानना चाहता हूँ कि तस्करी के बारे में सदन में इसनी चिन्ता प्रकट की गई है और की जाती रही है लेकिन क्या कारण है कि तस्करी के खिलाफ और छप्पाचार के खिलाफ लड़ने वाले जो भावमी इस देश में हुए हैं वे तस्करी और छप्पाचारियों के द्वारा ही मारे गए हैं जब कि कोई भी तस्कर या छप्पाचारी आज तक इस देश में उनके खिलाफ लड़ने वालों के द्वारा मारा नहीं गया है। यह प्रश्न पैदा होता है जैसा कि डा० रामजी सिंह ने श्री के० आर० गणेश का नाम लिया कि उन्होंने तस्करी के खिलाफ एक जेहाद छेड़ा था लेकिन आश्चर्य की बात यह हुई कि श्री के० आर० गणेश मंत्रिमण्डल से ही हट गए जब कि तस्कर इस देश में जिंदा हैं और ज्यादा ताकतवर बनकर जिन्दा हैं। इसलिए यह भी एक सोचने का सवाल है कि आखिर इसका कारण क्या है। इस देश में छप्प राजनीतिज्ञ, छप्प नीकरशाही और छप्प पूंजीशाही इन तीनों के मेल से ही तस्करी होती है। इसी के कारण इस देश में तस्कर पनपते हैं। सब हैं बड़े बात यह है कि कि राजनीति के मन्दे कूड़े पर ही इस देश में तस्करी

और छप्पाचार के मन्दे कूड़े पनपते हैं। जब राजनीति मन्दी होगी तो देश में छप्पाचार तस्करी, घनाचार, हुताचार, कबाचार सभी ब्याप्त होने ही।

ऐसी स्थिति में मैं कहना चाहता हूँ कि अगर आप चाहते हैं कि देश में तस्करी बके तो जब तक छप्प राजनीति, छप्प नीकरशाही और छप्प पूंजीशाही—इन तीनों का गठबंधन इस देश में नहीं टूटेगा सब तक तस्करी का बन्त नहीं होगा। इस गठबंधन को तोड़ने के लिए बहुत जबरदस्त संकल्प की आवश्यकता है। इसके लिए एक बहुत जबरदस्त क्रांतिकारी विचार की आवश्यकता है। कोई साधारण विचार या साधारण संकल्प से इस पर विजय प्राप्त नहीं की जा सकती है।

सवाल यह है कि तस्करी का जो माल इस देश में आता है उसका उपयोग कौन लोग करते हैं? आप सरकारी कार्यालयों में चले जाय, वहां पर बड़े बड़े भ्रष्टारों के हाथ में आप विदेशी कलम देखेंगे। आज बड़े बड़े भ्रष्टारों और बड़े बड़े राजनीति करने वाले लोगों के हाथ में विदेशी कलम पायेंगे। तस्करी के जरिए से इस देश में विदेशी ट्राजिस्टर आते हैं, विदेशी टेरिलीन, टेरिकाट और डेकराम का कपड़ा आता है। तस्करी के जरिए से इस देश में एंजो-डाराम और बिलसिना की चीजें आती हैं जिनका उपयोग बड़े बड़े महलों में किया जाता है। इन चीजों का उपयोग क्लेपडियों में नहीं होता है। इसलिए जब तक आप बड़े बड़े महलों में इस तस्करी के माल का उपयोग करने वाले लोगों को देख-झोली करार न देंगे, जब तक आप यह कामूत नहीं करावेंगे कि तस्करी का माल उपयोग करना वैजाही है

तथा तस्करी का माल वहाँ भी पकड़ा जाये वहाँ उनको देमाइह के अन्तर्गत में सख्त से सख्त-बन्धा ही जाये-तब तक तस्करी रुकैगी नहीं। क्योंकि जब उस के मास का बाजार नहीं रहेगा, तस्करी करने वाले फिर वह मास हिन्दुस्तान में लायेंगे ही नहीं। [लेकिन आज तो यहाँ पर तस्करी के बाजार खुले हुए हैं, आप कनाट-प्लेस में चले जाइये, सबको पर तस्करी का माल बिकते पायेंगे। बम्बई चले जाइये—बाजारों में तस्करी का माल खुले आम बिकते पायेंगे। कलकत्ता में भी यही स्थिति है, लेकिन किसी गाँव में या मजदूरों की शोपियों के पास आप तस्करी का माल बिकते नहीं पायेंगे।

देश के अन्दर जो बड़े लोग हैं, वैसे बाल लोग हैं, वे तस्करी के माल का खुला उपयोग करते हैं। उनकी विलासिता की सामग्री जो हिन्दुस्तान में उत्पादित होती है, उस की कीमत बहुत महँगी होती है, इस लिए वे विदेशों से कम दौरे में विलासिता की सामग्री अपने ऐशोभाराम की जिन्दगी गुजारने के लिये मंगाते हैं। इस लिये यदि आप तस्करी को रोकना चाहते हैं तो सब से पहले जो विलासिता और भाराम के साधन हैं, उन सब को प्रतिबन्धित करना होगा उन पर रोक लगानी होगी। एक तरह उपभोग और विलासिता उत्पादन को छूट दिये रहना और दूसरी तरह उपभोग और विलासिता की सामग्री पर रोक लगाना, उन के उपयोग पर रोक लगाना—दोनों साथ-साथ नहीं चल सकते।

एक समय डोक पंच न चालू, हुसब ठाव फुनायब गालू।

इसलिये भोग और विलासिता की जो सामग्री है, चाहे विदेशी हो या देशी हो, उनको पर प्रतिबन्ध लगाना होगा और जो सब सामग्री के उपयोग की वस्तुएँ हैं, जो वरीकी की देखा के नीचे हैं उन के जीवनीययोग

की वस्तुएँ हैं, उन के उत्पादन पर जोर देना होगा, तब जाकर यह रोक सकते हैं।

तस्करी के बारे में कौन नहीं जानता—वैसि लेव से आता है—बिहार का मधुबनी जिल, जिसकी 48 मील की सीमा नेपाल से जुड़ी हुई है, हम अपनी बाजारों के सामने देखते हैं—नेपाल से सारा तस्करी का माल आता है, आप के अफसर किसी को नहीं पकड़ते, किसी पर कोई रोक नहीं लगाते, किसी को कोई सजा नहीं दे पाते। इस तरह से इस को रोकना नहीं जा सकता—आप को इस तरह विशेष ध्यान देना चाहिये।

अन्त में मैं एक बात कहना चाहता हूँ—आप के विभाग में, मेरा तात्पर्य है कि सीमा शुल्क अधिकारियों को पदोन्नति देने का आचार क्या है? जिस अधिकारी की कान्कीडेन्गल करन्टर रोल जितनी अच्छी होगी, उस की पदोन्नति उतनी ही जल्दी होगी। अब कान्कीडेन्गल करन्टर रोल किस की अच्छी होगी— जो अपने बड़े अफसर की कान्कीडेन्गल सविस जितनी अच्छी तरह करेगा जो उन की गुप्त-सेवा में माहिर होगा, चाहे गुप्त सेवा में अनैतिक काम करना पड़े, जो अपने बड़े अफसर को नैतिक या अनैतिक काम से खुश रखेगा, उस की रिपोर्ट अच्छी होगी। लेकिन जो अफसर ईमानदारी से या सही काम करने वाला होगा, उसका करन्टर रोल बड़ा अफसर कभी भी अच्छा नहीं लिख सकता है। इसलिये मैं निवेदन करना चाहता हूँ—जैसा आप ने कहा कि जो सामान आप विदेशों से आयात करेंगे और जो सीमा शुल्क उस पर आप कम करेंगे, वहाँ वह भी ध्यान देने की बात है कि विदेशों से जो भोग और विलासिता की वस्तु आये उसका सीमा-शुल्क कम करने का प्रयत्न ही नहीं करना है, उस का

[श्री हुकम देव नारायण यादव]

प्रतिबन्धित कर दिया जाय। विदेशों में भोग और बिलासिता की वस्तुओं का आयात बिलकुल नहीं किया जाना चाहिये। जो चीजें हिन्दुस्तान के कारखाने उत्पादित करते हैं, यदि आप हिन्दुस्तानी चीजों को बढ़ाना चाहते हैं तो विदेशी चीजों को तनिक भी प्रोत्साहन मत दीजिये।

इसलिए, सभापति जी, इस सम्बन्ध में सपाजरादी दृष्टिकोण लेकर चलना चाहिये। इसी सदन में डा० राममनोहर लोहिया बराबर इन सवालों को उठाया करते थे। यदि देश में रूज्दशाही, भ्रष्ट राजनीति, भ्रष्ट अफसरशाही को मिटाना है, देश में भ्रष्टाचार का अन्त करना है, यदि गरीबों के लिए कुछ करना है, तो देश में भोग और बिलास की सामग्री के उत्पादन पर प्रतिबन्ध लगाना चाहिये, तब हमारा देश विकास कर सकेगा, वरना आप चाहे लाख उपाय करते चले जाय, कुछ नहीं होगा। तस्करी और भ्रष्टाचार के विनाश लड़ने वालों के संघर्ष में इस पंचद का इतिहास बतलाता है हिन्दुस्तान का इतिहास बतलाता है कि स्वयं मारे गए, लेकिन तस्करी और भ्रष्टाचार को कोई मार नहीं सका यह महाराक्षण है, जो इस से लड़ने जायेगा, वह उस के पेट में समा जायेगा और अग्रे भी यही होने वाला है।

SHRI VAYALAR RAVI (Chirayinkil): Madam, Chairman, this Bill as the Minister has put it, is of a very technical nature. It is only to sign our Tariff better with C.C.C.N. Sir, I would not go into the merits of the Bill because there is nothing much to be debated on this Bill. There are certain points which I would like to highlight. I would like to take this opportunity of congratulating the Minister not only for his dynamism and

action but for his less-talk-and-do-more work principle. Sir, as far as the people of Kerala are concerned, they are very happy when you once announced this in the House and implemented it within 10 days. So, you definitely deserve our thanks and congratulations and also of thousands of people of Kerala who are living abroad.

Madam Chairman, you are very well aware that the remittances from abroad had gone up during the last three years, from Rs. 1200 crores to Rs. 1900 crores now. This is a welcome change. This year our export-import trade deficit is about Rs. 900 crores. This can be filled up with the remittances of these people who are living abroad. Here the hon. Minister will agree with me that the people who are living abroad and who are filling the trade deficit gap need to be encouraged and they should be given more concession. So far as the Customs and Exchange duties are concerned, I would wish the hon. Minister to consider how to improve our export to these regions because people living there are of Indian origin. Many of the items that are exported from India to those areas are consumed by the people of Indian origin and not by the local people there. When we think of excise duties, the hon. Minister should consider giving concessions on certain items which are consumed by the Indians abroad, who are living in Gulf countries in large number. If you give some concession in the excise duties on items meant for our own people living abroad, they will save more money and remit it to their relatives in our country. By this way we would earn more foreign exchange.

Madam Chairman, after Mr. Agrawal took over, I am glad to know that there is improvement in the Customs Department. But it is still to be improved. I had an occasion to be present at the Madras Airport when an International flight came.

There I myself saw one Customs Officer taking a camera from a passenger and checking it as if it was a coconut. The Customs Officer with 20 years of service must know what is a camera. In another case, I know a Customs Officer who had broken the thermos flask and the clothes of a passenger were taken off shabbily. It is a humiliation sometimes. I am told that this officer is punishing people. It is not a good practice. I feel that there should be an improvement in the Madras Airport. There is an improvement in the Bombay Airport. It is worse in Madras Airport. I am only demanding a better treatment to Indians. They should not be treated as criminals or smugglers. They are our own people. May be some people carrying two or three saris. Everything they take away from their packets. I wish the Minister must have a surprise check of the drawers of the customs Officers and he will find the items that have been taken away from the passengers. They tell the passengers to put the items on their table. This is a crime and the poor people who do not know English cannot argue. They are finding it difficult at the Madras Airport. I wish the hon. Minister to correct this.

Madam Chairman, another important point is about the customs employees. There are officers who have put in 20 years service as Customs Preventive Officers and they are still working as Customs Preventive Officers. There are no avenues of promotion for them. In a State Government service, I am told a person who has put in more than 20 years of service, is taken in I.R.S. cadre. Some kind of avenue of promotion should be there for these people. There is a very little scope for promotion for them at present. We are abusing them in Parliament and outside. These people do not get any kind of encouragement. You must look into this, that is, in so far as the service conditions of these officers are concerned.

Recently, the Government went in for a large scale import. I wish to know from the hon. Minister what is the custom duty that was imposed on the rayon pulp import. The Birlas have been issued licence for import of rayon pulp. I believe that a licence worth Rs. 40 crores had been issued for the import of rayon pulp to defeat the workers of the Kerala Government factory, rayon pulp factory in Kerala. They want to import a huge quantity of pulp to run factories in Calcutta and other places. I want to know how much customs duty had been imposed on importers. Indigenous production was enough to meet internal demand. Customs duty at 100 per cent should be imposed on foreign pulp import. That kind of help should not be given to monopoly houses, the Birlas.

As suggested by Mr. George, you must have some kind of encouragement for people living abroad. Some kind of proportion should be fixed for their baggage rules. Many persons remit money to the country, about Rs. 1000 a month and sometimes even Rs. 5000 a month. There are people who remit 50,000 or one lakh to the country. When they come to India please encourage them to come. They are afraid because of many things here. Why cannot you encourage Indians from the Gulf countries to come every year to India. India will get more money. They are afraid of coming because of the strict baggage rules. The rules may be changed according to the remittance to India; some kind of proportion may be fixed. Please examine this; this is a suggestion I want to make.

Another point is this. You banned export of rosewood from 19th June. Many exporters entered into agreement for the export of rosewood with foreign buyers in March. But the ban came in June. When they went to export, they were denied permission. It was a heavy loss for exporters as well as the country. They have got

[Shri Vayalar Ravi]

to fulfil the contract. L.Ca. had been opened. It is illegal. It is against the Supreme Court ruling to retrospectively ban certain items like this. Customs came in the way and a lot of problems were erected. You must look into it.

I have a Press report which I can send you. One customs officer in Bombay has gone to Gulf countries and has accepted a job on a big salary. The report says that he is linked with international smuggling. He had been given study leave. He has taken a big job in a gulf country to help international smuggling racket. I will send you the report you can have a look at it.

I should only like to appeal for the relaxation of the baggage rules. The hon. Minister has done good work. He should be good to the people who are living abroad. A large number of people from my constituency have gone to the Gulf countries, so also from the constituency of Mr. George. Liberalisation of the baggage rules may help them. I support the Bill and I congratulate the hon. Minister. I hope he will do better in the future.

SHRI DHIRENDRANATH BASU (Katwa): While supporting the Bill I should like to point out some thing. The hon. Minister, Shri Agrawal is no doubt a dynamic minister in whom I have full confidence. I want to point out that smuggling activities on the borders of Nepal and Bangla Desh are increasing day by day and smuggled goods worth over Rs. 500 crores are lying in several godowns of ports in India, such as Calcutta, Bombay, Kandla, Madras and other ports. Smuggled goods have not been sold out in spite of repeated requests due to some procedural defects. I should therefore request the hon. Minister to see that such defects are removed. This amendment is really technical and formal and we have no ob-

jection in accepting the amendments in toto. But I would like to point out that there has been auctioning of considerable quantity of gold; rich merchants and rich people who are monopolising the market, have purchased this gold. Gold should have been sold to small auctioneers and goldsmiths who are usually making the ornaments for consumers. But that has not been done. This point was also raised in the Consultative Committee attached to the Ministry of Finance and I am sure that Shri Agrawal is looking into it.

There is one fact which I cannot but mention here. The smuggling activities are increasing day by day and the people connected with smuggling who had been arrested, have been released. I do not know why? Although some of the big smugglers who went to Shri Jaya Prakash Narain, whom I revere most, whom I, regard very much, have got themselves corrected, but some have again started smuggling goods from different countries, and three or four of them have been caught. I do not understand how they could escape punishment. I would, therefore, request the hon. Minister to enact such a law that these smugglers cannot escape punishment and they do not recur such offences. Economic offences should be dealt with iron hand.

I would request the hon. Minister through you to direct the Reserve Bank of India to formulate a policy for auctioning gold. The policy should be such that small goldsmiths can purchase gold and they are given better facilities. I hope the Minister will appreciate it and do the needful in this regard. Now with regard to customs duty, I have to add one thing.

I have myself seen while returning from UK and USA some of our friends who were being harassed like anything, everything they brought was searched and nothing could be found, but still as pointed out by my esteemed friend Mr. Vayalar Ravi,

they were harassed. Somebody brought a camera, he has purchased that he has also shown the receipt. That camera was kept here and there, it was thrown out and broken. But that gentleman could not do anything. This is the harassment that is being caused by some of the Officers and inspecting people. This should be stopped. I wish the Government, at least Shri Agrawal, who has a high reputation and who has introduced this Bill, would look into this very carefully. He has also invited suggestions from Associations in this regard.

I would make a suggestion. Let the Minister direct the department concerned not to harass the honest passengers, not to harass Indian coming from abroad, with some articles, which they are permitted to bring according to the rules. Let them not be harassed.

With these words, I conclude.

श्री श्री बलवीर सिंह (होशियारपुर):
समापति महोदय, मैं कुछ सुझाव और कुछ बातें मंत्रीजी की नोटिस में लाना चाहता हूँ। बहुत से ट्रेल कार्री कह चुके हैं। स्मगलर्स के बारे में कहा गया श्री स्मगलर्स की लीबी कितनी ताकतवर थी उसका सबूत सामने है कि जब भी के० धार० गणेश ने स्मगलर्स पर हाथ उठाया तो उन को अपने पद से हटा दिया पड़ा। स्मगलिंग करता कौन है? जिसको हराम की कमाई हो। अगर उस हराम की कमाई को आप बन्द कर दें तो स्मगलिंग खत्म हो जाती है। श्री आप तो महात्मा गांधी की भक्त रही हैं, इस देश में स्वदेशी की एक नई मूवमेंट पूरे जोर से चलानी पड़ेगी। जो आपकी बाहर का मास लाने वाला है उसे समाज में सम्मान नहीं मिलना चाहिये। साथ उन लोगों को जिन के पास

विदेशी सामान है उन की समाज में इज्जत है, उनको सम्मान मिलता है। बड़े धनंठ से ऐसे लोग कहते हैं कि यह दुर्लभ फ्रांस की है, गोशा बेलजियम से मंगाया है, बड़ी स्विटजरलैंड से मंगाया है, जिनको हराम की कमाई है उनके घर में जा कर देखिये वहाँ आप को कोई भी देशी चीज नहीं मिल सकेगी, शायद बीबिया भी उन की बिलायती होंगी। तो हम को देश में स्वदेशी के लिये एक बहुत बड़ा अभियान चलाने की जरूरत है। हर भादमी के दिल को हिलाने की जरूरत है। हमारे ही देश की बनी हुई चीज पर अगर लिख दिया जाता है कि मेड इन यू० के० या यू०एस०ए० या जापान, ऐसी मोहर लग जाय तो उस चीज की ज्यादा प्रतिष्ठा हो जाती है। इसको रोकना चाहिये। इसके लिये जरूरी है कि जो चीज भारत में पैदा होती है, जैसे कपड़ा या साड़ियाँ, वह बाहर से नहीं आनी चाहिये। जब हमारे यहां से कपड़ा एक्सपोर्ट होता है तो र देश में किसी भी किसम का कपड़ा बाहर से नहीं आना चाहिये, और यह एक बहुत बड़ा जुर्म होना चाहिये। और अगर किसी हराम की कमाई वाले की बीबी बिलायती साड़ी पहने हो तो उसको उसी बक्त पूछना चाहिये कि यह कहाँ से आयी है और उस को कहा जाय कि पहिये भयवान कृष्ण की जन्म भूमि आपको दिखा दें। स्मगलर्स की कसमों पर हमें एतबार नहीं करना चाहिये। हाजी मस्ताम डेढ़ करोड़ रुपये देने को तैयार था अगर उसे उस बस्त की प्रधान मंत्री के साथ हाथ मिलाने की इजाजत मिल जाती। और उनसे पता चलता है कि कौन-कौन लोग हैं। आज जो अपोबीमान में और मचाते हैं अगर उनकी हिस्ट्री शीट खोली जाये तो पता चल जायेगा कि

[बीछरी बलबीर बिहू]

कहाँ कहाँ से इन्होंने क्या क्या माल लिया ।

जितते कस्टम अधिकारी हैं उनके या उनके रिश्तेदारों के घरों में जा कर छापा घारिये और पता करिये कि यह माल कहाँ से आया । जिनको हम मालियाँ देते हैं कि वेल के बाहर जा रहे हैं, बैन ब्रेन हो रहा है, उनकी बजह से हमारा फारेन एक्सचेंज बढ़ा है, उन को अगर कुछ सङ्कलित दी जाय बाहर से पैसा आने की, या यहां कारखाना या मकान बनाने में, या कोई काम शुरू करने में, अगर हम मदद देना शुरू करें, तो उस में यह फारेन एक्सचेंज के रिकेट खत्म हो सकते हैं । बाहर से आने वाले पैसे से हम लोगों को यहां रियायत देंगे तो उससे हम फारेन एक्सचेंज की गड़बड़ी को रोक सकेंगे ।

जो कारोबार करने वाले बड़े-बड़े कारखानेदार लोग हैं, ये जिस ढंग से कासा घन्सा करते हैं यह मैं बताना चाहता हूँ । वे लोग यहां से 5 लाख का माल एक्सपोर्ट करते हैं और अपने कागजों में उसे 15 लाख का एक्सपोर्ट किया जो करते हैं । बाहर जा कर वह 15 लाख का बाल खरीद लेते हैं । गवर्नमेंट एक्सपोर्ट करने वालों को इम्पोर्ट करने की इजाजत देती है । वह बड़ासे 15 लाख का माल खरीद कर इम्पोर्ट करके आते हैं और फिर यहां पर उसे अपने कागजों में 5 लाख का जो कर देते हैं । इससे वह यहां पर लाखों रुपया कस्टम का फायदा उठा लेते हैं । दोनों तरह से उन्हें फायदा हो जाता है । अगर आप इसकी इन्कवायरी करें तो पता लगेगा कि यह एक्सपोर्टर और इम्पोर्टर देश को किस ढंग से लूट रहे हैं । बाहर

से जो इम्पोर्ट कर के आते जाते हैं वह कम दामों में आते हैं और जो यह ले जाता है उसे ज्यादा दामों में बिकाते हैं । इस तरह से उन्हें दोनों तरफ से फायदा मिल जाता है ।

मैं बहुत ज्यादा ब कहते हुए मंत्री बहोदय का ध्यान दिलाना चाहता हूँ कि वह अपने महकमे को चौड़ा खुलवा करें । हम लोग जो जनता के नुमाइन्दे यहां हैं हमें फिर इस बारे में पहल करनी चाहिये जिस से स्वदेशी के बारे में फिर से आवाज उठे और पूरे जोर से इसमें लगना चाहिये । हमें यह जो करना चाहिये कि जो बिदेसी चीज पहनने वाले हैं, उनको समाज में सम्मान ब दिया जाय पूरी इज्जत न दी जाये । जो बाहर से हमारा की कमाई करने वाले हैं उनको यहां पूरी इज्जत दी जाती है । अगर इन सब बातों की कोशिश की जायेगी तो लाजमी तौर पर जो यहां मेंहनत करने वाले लोग हैं, उन्हें सङ्कलित मिलेगी । जो इम्पोर्ट और एक्सपोर्ट के नाम पर गड़बड़ी करने वाले लोग हैं, उनको बैक किया जाये ।

कस्टम के जो हुकाम हैं, उन पर कड़ा नियंत्रण होना चाहिये और इस देश में जो स्वदेशी की चीजें हम बनाते हैं उस तरह का माल किसी शकल में भी यहां आने की इजाजत नहीं देनी चाहिये । इन अलकाब के साथ जो बिल यहां पेश किया गया है, उसका मैं स्वागत करता हूँ ।

PROF. P. G. MAVALANKAR
(Gandhinagar): Madam Chairman, while wishing to lend my support to this Bill, I wish to make a few points very briefly.

First of all, I want to take the opportunity of referring to some of the important aspects of our customs procedures and practices in our country. The Minister himself said in his

Statement of Objects and Reasons that this Bill is largely for changes which are mostly of a technical nature. Therefore, nothing much can be talked about in terms of this Bill. What I want to say however, is that Government must come forward, particularly Mr. Satish Agrawal himself while he is the head of this particular department, with his dynamism and his earnestness to do things quickly, in time, must take the special responsibility to come forward, with an urgent overhaul of the whole subject of customs procedures and practices, and he must come forward with a good, comprehensive Bill, not just making changes on this or that aspect. He must come forward with a comprehensive Bill as early as possible, not too hastily but not in a much delayed manner either because an urgent overhaul is needed, because the customs administration, the customs organisation, the rules and regulations and the conventions and practices that have been built up around this important activity of the Government have not only implications in terms of revenue earned, but also implications in terms of reputation earned or reputation lost—revenue earned, revenue lost; reputation earned, reputation lost? Therefore, I hope that the Minister will bring forward that kind of a Bill as early as possible.

Madam Chairman, secondly, one finds that a lot of corruption and harassment in our country are going on in various departments. Of course, he can always say: "Mine is not the only Corrupt Department!" He can say that and take the consolation. But I don't want him to take that kind of a consolation. I do, of course, sympathize with him because this particular Department of Customs is one of the few-in the whole country—where corruption is more likely because of the temptation of the people who enter to bring in things without permission, and of people who are inspecting, to allow things to go, by taking some bribe. There-

fore, this tendency is great. That is why it is all the more important, a greater responsibility of the Government, and particularly of the Minister to see that this corruption, and the harassment part of it, are minimized. They cannot be eliminated. Let us not talk unnecessarily in idealistic terms. But if corruption and harassment can be minimised, it will be a great achievement.

I don't want to spend much time on smuggling because many people have spoken about it. I am not quite sure whether my friends are right, friends who said that after the Emergency smuggling has necessarily gone down. Smuggling may have gone down in some areas and in some respects; but the overall impression that one gets, not only through newspapers but also through hearsay, is that smugglers are somehow feeling a sense of a new kind of liberation and that they will not be easily caught. If that is going on, I don't think it is a very happy situation to be encountered with.

This is one aspect. The more important aspect from my point of view, as one of the Members put it, is that smuggling has become highly technical, scientific, systematic and organized, with the result that the methods to combat it also require to be highly organized and scientific etc., and that is where I want to tell the Minister—"You do not have to say: 'I have no money.' You have only to politely and respectfully tell your senior colleague, Mr. H. M. Patel; and he will give the money." His department and his officials must get better equipment, speedier boats and quicker as also sharper instruments to catch the smugglers—not so much at the airports as at the sea-ports, because the smugglers enter more through sea-ports and sea routes; and there again, not just through bigger ports but also through smaller ports. They are very clever. In fact, our country has such a vast coast-line that they

[Prof. P. G. Mavalankar]

can enter without the knowledge of anybody. Even if they enter with the knowledge of the Customs Officers, the latter cannot do anything much, because they don't have enough equipment. I hope that part of the situation the Minister will look into.

I also want to say that confiscation of articles should not be done erratically. You can charge and punish; but don't keep things in your custody for a long time. It is not in your interest.

I intend to be brief. I would only make a few points, without going into their details. First, as I have already said, the Customs Department must not only earn a reputation for revenue-earning, but also a name as a reputation-gaining department in the whole country.

Many of us have gone abroad many times. We know that in various other countries, the methods and manners used by Customs Officers to deal with passengers are intelligent and smart, and very polite and civilized. Also, one feels more offended and distressed when one finds that one is treated better abroad; but when one comes back to one's own country, viz India one is treated as a criminal and a guilty person as it were, and put to all kinds of harassment and humiliation. This at least must be stopped. I am not talking about Members of Parliament. Fortunately or unfortunately, we get privileges; and nobody examines us—not always. Not that we can carry anything wrong. Recently, twice I came from abroad. I had nothing to declare, because there was nothing dutiable or objectionable which I bought. But I see many people harassed and humiliated. I don't like to see my own fellow-country-men being humiliated in my own country.

Now about baggage rules, I have a suggestion to make. Why not publi-

cize them more prominently and more adequately? For example, we can attach baggage rules with every air-ticket or ship ticket. If that is done, passengers will know the baggage rules immediately.

Now about tourists. There are lots of foreign tourists coming; and their number is increasing. If they get a bad impression, they talk about it to a hundred or thousand people. If they get a good impression, they talk no doubt, but to only ten or twenty people. Therefore, their impression and experience of India and Indians are obtained first through these Customs officials. Those tourists reach India after a long journey. When they get down here, if they get a bad kind of welcome or treatment, it is wrong. This should stop.

Now about coordination between various Ministers—e.g., between Home Ministry, in terms of security, and the Ministry of Tourism and Civil Aviation. You will be surprised to learn, Madam Chairman, that even though the airport in the capital of India, i.e., Palam, has been extended and facilities there have increased, those facilities are not adequate even for the next 5 years. By 1985 they will all become smaller airports. He must start getting in touch with his colleague, Shri Purushottam Kaushik and see that necessary steps are taken at Palam, Santa Cruz and other places so that the work of the Customs is not allowed to suffer.

Lastly, if necessary, he may himself go to some of the important countries of the world, major and minor, and see for himself how the Customs are functioning there. He should not send his departmental officials alone, the bureaucrats. They are good; it is no good blaming them for everything. But do not be ruled by them; rule them. If you rule them, the country would be the better.

I agree with Shri A. C. George when he said about Indians abroad. Many of them are earning quite a bit of money and when they come back after two or three years, if they bring a little additional things, treat them generously; do not be too hard or harsh. In one sentence, what is required of Customs practice and procedure is a kind of bold and imaginative attitude, and equally bold and imaginative action. If these two things are combined, you will create some kind of heaven for people who come to India as tourists and for those Indians who have gone abroad and are returning to India. and you have thereby done a good job. ;

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI SATISH AGRAWAL): Madam Chairman, permit me to thank all those hon. Members who have been kind enough to speak some soft words about me. It is really very embarrassing for me to say something more on this subject, but I express my gratefulness to all of them who have spoken so nice of me. This has put a heavy burden on my shoulders. I am sure with their good wishes I shall be able to fulfil the expectations that they have from me. On behalf of the Government I thank all the Members for welcoming this measure and extending their support.

Various issues have been raised and various suggestions have been made. I have noted down all of them. While it is not possible for me to reply to all of them in such a short span of time, I can assure you that I will look into them and, wherever possible, and wherever reasonable suggestions have been made whose implementation will not be very difficult for the Government, which I feel it will not be, I will do my best to see that the Customs Department is rationalised, its administration stream-

lined and all the corrupt elements in the Department weeded out as early as possible, so that we shall be able to give a clean image of the Department, as desired by hon. Members, particularly as described in brief by the hon. Member, Prof. Mavalankar.

A demand has been made here in this House that a comprehensive Customs Bill should be brought before the House. In this connection, I would submit that certain amendments, which were thought necessary, were already introduced in the last session of this House, and the House was good enough to pass them. Then, I have myself written a letter to the Chairman of the Estimates Committee, requesting him to examine my Department in toto and give me a report so that I can incorporate those suggestions in the comprehensive Customs Bill which I intend to introduce in the winter session of Parliament. My hon. friend, Shri Borole, informs me that they have already taken up the matter at my instance. I may inform you that as soon as the Government receives the report of the Estimates Committee, whatever suggestions are made with regard to Customs and Excise would be given full consideration, and I will do my level best to incorporate them in the legislation which I propose to bring before the House.

Much has been said with regard to smuggling. I am myself very much exercised about it. How could we measure the quantum of smuggling in this country? There is no barometer to know whether it is on the increase or on the decrease. There is no basic index available, like the base year for the wholesale prices, so that we can very well say that it has increased or decreased.

If figures are an indication of the fact that smuggling or the quantum of smuggling is increasing or decreasing, then in 1974 the seizure figures

- [Shri Satish Agrawal]

were Rs. 60 crores; in 1975 it came down to Rs. 45 crores; in 1976 it came down further to Rs. 36 crores; and last year, 1977, it came down to Rs. 29 crores. If these figures are an indication of the fact that smuggling was very much contained, very much controlled, during the emergency, when it came down from Rs. 60 crores to Rs. 45 crores and to Rs. 36 crores, then the figure of Rs. 29 crores for 1977 is a further indication of the fact that smuggling is on the decrease. And if these figures are not an indication of the fact and the quantum of smuggling, then in 1977 we were in office for nine months and I was in office for four months, and it accounted for this figure of Rs. 29 crores. If the hon. Members are interested in more and more seizures, I can assure the House that we cross the figure of 1976, namely Rs. 36 crores this year.

During the last one week alone there were big seizures of gold worth about Rs. 40 lakhs from two passengers, Rs. 21 lakhs from one passenger and Rs. 17 lakhs from another, at Santa Cruz airport, Bombay. This has never been there in the past even for months together. So far as gold seizure is concerned, even during the peak period of the emergency it was much less.

SHRI VINODBHAI B. SETH (Jamnagar): Whenever a Customs Bill comes, there is some seizure. Is there any arrangement?

SHRI SATISH AGRAWAL: Two thousand tolas of gold were found on the person of one single individual in two jackets. They have got their own *modus operandi*. As Prof. Mavalankar rightly said, smugglers are much more clever, they have better equipment, that is perfectly correct. We are seeing to it how to combat that, but there are many other problems.

SHRI KANWARLAL GUPTA: Let us make one of them a Minister;

SHRI SATISH AGRAWAL: I was saying that so far as the quantum of

smuggling is concerned, we have got no basis to compare. Basically, my thinking is that in this country as long as there is a price differential between the international and the domestic markets, as long as quality goods are not available here and as long as there is a craze for foreign goods, smuggling will continue. Mere preventive measures of control, mere selective use of COFEPOSA, is not going to bring the desired results. We have to take certain economic measures so as to curb this evil of smuggling for all time to come.

I may be permitted to give one instance. In 1974 the price of cloves was Rs. 400 per kg. when its import was banned. Last year we reduced the customs duty, and this is one of the many economic measures that the Government took last year, because last year we launched a three-pronged attack against smuggling. One of the economic measures was to reduce the customs duty, and the prices have come down to Rs. 135 from Rs. 400.

So, my conviction is that if we really want to eradicate this evil of smuggling, we have to adopt more and more economic measures. Then and then alone will this evil of smuggling be curbed. Any amount of preventive control or use of the COFEPOSA cannot curb this for all time to come. So, let us bear in mind that smuggling has been there, it is there, it will remain there till we are able to adopt the economic measures necessary to curb this evil. Let us not try to depict an image of this country as if this country consists of smugglers, smugglers and smugglers. I do not deny there is smuggling. We are doing our best with whatever means we have at our disposal. We are trying to purchase speed boats and crafts. Recently you must have known about it—we have finalised a proposal and we are going to purchase three more boats and speed crafts. More and more, we are trying to do. But we have our own limitations. After the lifting of the emer-

gency, more than 2000 smugglers were released. During the emergency, detention orders were issued against 3348 persons. We have issued detention orders against 264 persons only. So is the bona fide application of COFEPOSA. We have done so many other things. We have brought in Section 9 whereunder the maximum period of detention is three months. We are going to reduce it to two months. Under these constraints we are working—release of so many smugglers, selective use of COFEPOSA and the general atmosphere of relaxation in this country after the Janata Party coming into power. That way, we are trying to do our best. And we are not sparing anybody. Last year, we put Customs officials in detention under COFEPOSA. This is the first ever incident that has happened last year. I said: nothing doing, whether he is a Customs officer or a gazetted officer or a police officer, if he has violated COFEPOSA rules, COFEPOSA must be applied. So, I would respectfully submit that so far as we are concerned, we have launched a multi-pronged attack—economic measures, rationalising the whole Department, streamlining the whole administration, sealing of boarders and all that. But we have certain difficulties. I went to Bombay. 80 ships were there in the seas. They could not come to the port. Now, I cannot post the Custom Officers in every ship. During night hours, naturally, there is leakage—things are coming and things are going out. That is an inter-connected problem. That way, what can I do? If I want speedy clearance at the airports, I cannot put more counters. There, I am dependent on other authority. I say, I have my own limitations. Now, Mr. Balbir Singh was saying, nothing foreign should be allowed in this country, we should search each and every house and confiscate sarees, watches and all that. But what about the baggage rules? You have revised the baggage rules. Under these rules, a person can bring something of the value of Rs. 1000. You are competent to bring something upto Rs. 2000 by payment of duty.

Above Rs. 2000 some penalty is imposed. Now, you have paid the fine, you have got the receipt. Under the law, you are legally entitled to sell those goods in the market and they are the things which are being sold in Connaught Place or in Bombay. Moreover, 75 per cent of the goods which we have seized in Delhi, are spurious. People just put a stamp or seal on the item. In Bombay, people used to mark USA. It was later on found that there was some Ulhasnagar Sindhi Association in Bombay. Please do not go by that. The people are very clever. You know much more than what I do. They can make watches, textiles and various other things. They can do anything. They can make wine, liquor, everything and put a tag of some foreign brand. I do not know how they do all that.

Even in Delhi, last month, we had many seizures and we found that 75 per cent of the goods were absolutely spurious. What to do with them? It leads to harassment. You will say, "What is this? You are entering everybody's house." The chances are much more for harassment. We try to catch everybody. The goods worth crores of rupees are being sold as foreign goods. I very much wish there were a *Swadeshi Andolan* in this country. But in modern times, when there is so much international trade you cannot say there will be absolutely no import and no import duty. If imports are permissible, the import duties have to be there. If import duties are there, the foreign goods have to come to this country. The point that has been made by the hon. Member, Mr. Balbir Singh, ideologically, it is quite correct. We should try to become *Swadeshi*. Madam Chairman, as you have launched the *Prohibition Andolan*. I wish Mr. Balbir Singh launches the *Swadeshi Andolan* and not go away after making speech.

So far as the Government is concerned, we are not averse to it. We very much wish that the people use our own goods. They are quite good. But the people have got the craze

[Shri Satish Agrawal]
for foreign goods. The only solution lies in the economic measures that the Government have to take.

Briefly speaking, two cases were mentioned. One case was mentioned by Mr. Manoranjan Bhakta with regard to one Mr. Badami. He does not belong to the Customs Department. He is an Income-tax official. I have nothing more to say. There was one more case mentioned—the name was not mentioned—by Mr. Ravi. He said that some officer was involved with smugglers; he had gone abroad and he had asked for study leave. This is an individual case. It is not expected of a Minister to reply. But I can tell him that this case relates to one Mr. Prem Kumar who had gone abroad. He was an Assistant Collector in Bombay. He wanted study leave which was refused. He has resigned but his resignation has not been accepted. I am looking into whatever allegations have been levelled against him.

PROF. P. G. MAVALANKAR: If you refer to baggage rules, there are some exemptions given in respect of certain essential commodities. I know of a case where a cancer patient cannot speak and he wants a speaking-instrument and he has not been able to get it. He is asked to pay duty on a gift article. Kindly look into these matters also about exemption of duty in respect of certain essential commodities.

SHRI SATISH AGRAWAL: He has addressed me a letter....

PROF. P. G. MAVALANKAR: Nothing happened. The matter has come again to me.

SHRI SATISH AGRAWAL: Previously, the practice was to issue ad hoc exemptions under Section 25(2) of the Customs Act. Now, I am of the opinion that instead of making ad hoc exemptions every day, in regard to commodities and items that are to be exempted on a large scale, a notification should be issued under Section 25(1) where there is

a provision for a general notification in respect of certain items. In January, 1978, you must be aware that the Government had announced exemption from the customs duty on the import of certain medicines, drugs, medicinal equipment, etc. So many other items have also been exempted. We have now finalised the proposals and, I think, before the session adjourns, you will find a notification under Section 25(1) where exhaustively certain items will be notified for general exemption. For that purpose, the persons will not be required to come to me for getting an exemption because there will be a general notification on that score.

So far as the baggage rules are concerned, he made one more point regarding publicity. I have already instructed my Department and we have issued a notification on 16th May, 1978. These rules came into force with effect from 16th May 1978. Simultaneously, I issued instructions that wide publicity should be given.

17 hrs.

Then I said; nothing doing. Let them be in a booklet form and now they are being printed in a booklet form. They will be supplied to the airports, all our Commissions, all our Ambassadorial offices, foreign as well as inside, and I think the airport authorities and the Civil Aviation Department will definitely attach one copy along with the ticket. That is the idea. I am sure, before you go home from this session, you will get a printed booklet, so far as revised baggage rules are concerned.

Certain cases were referred to me by my hon. friend, and Member, Shri Gupta with regard to emergency—certain practices at the airports—and he referred in this connection to the name of Shri R. K. Dhawan and some other people. I think he knows much more about all these things than what I know about it. But then I

can say only this much that there are certain cases which have come to the Government's notice; there are certain allegations. There were certain seizures at the Palam Airport also, but no action was taken then against the officers involved in that particular case which is popularly known as 'Sixty lakh diamond case at the Palam Airport.' Some other persons are being prosecuted, but I am not satisfied with the report that I have received. I have raised certain more queries into that that if Gazetted Officers and Senior Officers were involved in that particular scandal why action has not been taken against them and why action should not be taken against them and I think that particular matter will be finalised within a fortnight's time and whatever action on the administrative side will be necessary that will be taken against them. Of course, let us not enter into all that. You have raised that point and I have replied in brief, so far as that point is concerned.

SHRI KANWAR LAL GUPTA: Only administrative, not criminal.

SHRI SATISH AGRAWAL: Of course, criminal prosecution has been filed against... But why no action against the others, that is the query that I have raised and I have yet to decide the matter after receiving report from the Collector. So, more details need not be disclosed here on the Floor of the House. That will not be proper.

MR. CHAIRMAN: Will you please address me and not go on having a conversation between you?

SHRI SATISH AGRAWAL: One particular point was raised by many hon. Members with regard to gold suction and all that. Mr. Chairman, as the House is very well aware, the decision to sell Government's gold was part of an anti-smuggling measure and only to that extent, I am concerned with this. Otherwise, so

far as monitoring of the whole policy is concerned, it is being done by the Reserve Bank under the overall guidance of the Finance Minister.

SHRI VASANT SATHE (Akola): It has failed miserably.

SHRI SATISH AGRAWAL: I am not prepared to accept it that the policy has failed. But I am not also going to claim that the policy has proved successful. I am very fair and I expected you to be fair. It is premature to predict a failure or success of this policy within three months' time. Of course, time is not enough for me.

SHRI VASANT SATHE: Should we wait till you....

(Interruptions)

MR. CHAIRMAN: Mr. Vasant Sathe, why are you interfering in everything. This is very wrong. Please don't do it. Please take your seat.

SHRI SATISH AGRAWAL: At this point of time, I think this will be sufficient for the information of this House that this is a new experiment, a new project and the Government, in the background of the experience that they have gained, have made certain modifications and amendments in this scheme from time to time. In initial stages, when the scheme was introduced, Government banned the purchase of auctioned gold outside the licensed premises. Previously the gold dealers purchased the gold at Bombay and sold the gold there in Bombay market and they did not bring it to Delhi, Jaipur, Ahmedabad, Bombay, etc. Then the Government banned it, no, you cannot sell that gold which you had purchased from the Reserve Bank outside your licensed premises. Then those people brought the gold to Delhi, but then they sold it to the gold dealers. Then the Government banned it and had another notification saying no, you cannot sell it to the dealers. So,

[Shri Satish Agrawal]

dealer to dealer sale was banned and later on it was found out that some poor goldsmiths were not able to participate in these auctions. Because they cannot purchase one kilo of gold; it comes to Rs. 70,000 approximately. So, the Reserve Bank announced that a group of five goldsmiths could join and give a joint bid. Thus, provision for a joint bid was made. So, on the basis of whatever experience Government has gained, after discussions in the Gold Policy Committee of which the Finance Secretary is the Chairman, the necessary amendments and modifications have been made in this scheme. The Government's intention is that gold should be made available to the poor goldsmiths throughout the country at various centres at some fixed prices so that the middle-men's profit is eliminated and gold is made available to the consumers directly from the goldsmiths after eliminating the profits of gold dealers, or the middlemen. Certain other modifications in the scheme are under the consideration of the Government, and I am sure that, looking to the need of the times, whatever changes or modifications are necessary will be announced by the Government after taking a final decision in this behalf. (Interruptions)

So far as adjudication cases are concerned, Mr. Kanwar Lal Gupta raised this point; Mr. Bosu also raised this particular point—in 1977, 1,841 persons were arrested, out of which 1,629 were prosecuted, and out of them, 1,348 were convicted. In 1978, from January to May, 574 persons were arrested, 471 were prosecuted, and within these five months, 272 have been convicted...

SHRI KANWAR LAL GUPTA: I wanted to know about violation of Customs Act...

SHRI SATISH AGRAWAL: Either they are detained under COFEPOA or they are prosecuted under the Customs Act; they are not prosecuted under Excise Law...

MR. CHAIRMAN: Mr. Kanwar Lal Gupta, let there be no direct conversation; you can have it clarified outside the House. Let him complete.

SHRI SATISH AGRAWAL: After the coming into force of the revised Baggage Rules, the number of adjudication cases at the Bombay Airport which was 300 per day has come down to 45 per day. Similar is the position at the Delhi Airport also because the clearances are very speedy, and with the revision of the Baggage Rules, which has had a very salutary effect, there is not much hindrance on that score.

About Madras, of course, I do not say that whatever Mr. Ravi has said is absolutely wrong. I own everything. Whatever failure and omissions are there in my Department, the responsibility for them is mine. I am not prepared to shift the blame on to somebody else. I am not going to blame the officers, because they do only what we direct them to do. Therefore, whatever failures are there are mine and not of the officials. They are like a horse. It is the rider who is to be blamed...

AN. HON. MEMBER: Why not put the blame on the bureaucracy?

SHRI SATISH AGRAWAL: Why on the bureaucracy? Is the bureaucracy so strong and I am so weak that I cannot control it? Only a weak man will do that. Why should I do that? I am accountable to Parliament, and they are accountable to me. So far as the House is concerned, I am accountable to the House, I am to be blamed for failures, I accept the responsibility for failures. I assure the House that I am doing my best.

Last time I made an offer so far as surprise check is concerned. I could have a surprise check last year in Bombay because I was not known then. That does not seem to be possible now. People have come to know of me because of this matter on my forehead, everybody can recognise me.

I make this offer. I am prepared to accompany Mr. George or Mr. Ravi to Cochin or Trivandrum or Madras and stay there for two or three days—they may be my guests—, visit the airports and see the things for myself. With these words, I close. Whatever other small points have been made by hon. Members here, I have noted them down. In some cases I will send replies and, wherever action has to be taken, I will take action and then inform the House.

I am thankful for all the sentiments expressed here.

MR. CHAIRMAN: The question is:

"That the Bill further to amend the Customs Tariff Act, 1975, be taken into consideration".

The motion was adopted.

MR. CHAIRMAN: We shall now take up clause by clause consideration. There are a number of amendments by Government. But there are no amendments to clauses 2 to 4 and I put them to the vote of the House.

The question is:

"That Clauses 2 to 4 stand part of the Bill"

The motion was adopted.

Clauses 2 to 4 were added to the Bill.

The Schedule

SHRI SATISH AGRAWAL: I move:

"Page 5, line 11,—

omit "as so amended" (3)

Page 6, line 9,—

for "," substitute "·" (4)

Page 10, line 12,—

for "stapples" substitute "staples" (5)

Page 11, line 10,—

after "propelled" insert—

“, and parts and accessories thereof” (6)

Page 12, lines 6 and 7,—

for "This Chapter covers "worked vegetable or mineral carving material" and this expression' substitute

"In this Chapter, the expression "vegetable or mineral carving material"” (7)

*Page 13,—

After line 22 insert—

'(v) after Heading No. 27.14/16, the following Heading shall be inserted, namely:—

"27.17 Electric current. Free.. ."; (8)

*Page 13, line 23,—

for "(v)" substitute "(vi)" (9)

*Page 13, line 43,—

for "(vi)" substitute "(vii)" (10)

*Page 14, line 35,—

for "(vii)" substitute "(viii)" (11)

Page 14, line 35,—

for "40.01/28" substitute—

"44.01/28" (12)

*Page 14, line 59,—

for "(viii)" substitute "(ix)" (13)

Page 14, line 62,—

after "reeling" insert "," (14)

*Amendment moved with the recommendation of the President.

MR. CHAIRMAN: The question is:

"Page 5, line 11,—
omit "as so amended" (3)

Page 6, line 9,—
for ";" substitute "—" (4)

Page 10, line 12,—
for "stapples" substitute "staples" (5)

Page 11, line 10,—
after "propelled" insert—
"and parts and accessories thereof" (6)

Page 12, lines 6 and 7,—
for "This Chapter covers "worked vegetable or mineral carving material" and this expression'

substitute—
'In this Chapter, the expression "vegetable or mineral carving material" (7)

Page 13,—
after line 22, insert—
'(v) after Heading No. 27.14/16, the following Heading shall be inserted, namely:—

"27.17 Electric current. Free.. ."; (8)

Page 13, line 23,—
for "(v)" substitute "(vi)" (9)

Page 13, line 43.—
for "(vi)" substitute "(vii)" (10)

Page 14, line 35,—
for "(vii)" substitute "(viii)" (11)

Page 14, line 35,—
for "40.01/28" substitute—
"44.01/28" (12)

Page 14, line 59,—
for "(viii)" substitute "(ix)" (13)

Page 14, line 62,—
after "reeling" insert "—" (14)

The motion was adopted.

MR. CHAIRMAN: The question is:

"That the Schedule as amended, stand part of the Bill".

The motion was adopted.

The Schedule, as amended, was added to the Bill.

Clause 1—(Short title and Commencement).

SHRI SATISH AGRAWAL: I move:

Page 1, line 4.—
for "1977" substitute "1978" (2)

MR. CHAIRMAN: The question is:

Page 1, line 4.—
for "1977" substitute "1978" (2)

The motion was adopted.

MR. CHAIRMAN: The question is:

"That clause 1, as amended, stand part of the Bill"

The motion was adopted.

Clause 1, as amended, was added to the Bill.

Enacting Formula

SHRI SATISH AGRAWAL: I move:

Page 1, line 1.—
for "Twenty-eighth" substitute—
"Twenty-ninth" (1)

MR. CHAIRMAN: The question is:

Page 1, line 1,—
for "Twenty-eighth" substitute—
"Twenty-ninth" (1)

The motion was adopted.

MR. CHAIRMAN: The question is:

"That the Enacting Formula, as amended, stand part of the Bill".

The motion was adopted.

The Enacting Formula, as amended, was added to the Bill.

The Title was added to the Bill.

SHRI SATISH AGRAWAL: I move:

"That the Bill, as amended, be passed".

MR. CHAIRMAN: The question is:

"That the Bill, as amended, be passed".

The motion was adopted.

17.15 hrs.

AIR (PREVENTION AND CONTROL OF POLLUTION) BILL

MR. CHAIRMAN: The House will now take up the Air (Prevention and Control of Pollution) Bill.

Shri Sikanḍar Bakht.

SHRI VASANT SATHE (Akola): Maḡam, since you have come in the Chair, unfortunately, the airconditioning has failed. It is so warm; I do not know whether you feel it or not, we are feeling so much. I would request you that before the air pollution starts here, please see that the airconditioning starts functioning.

MR. CHAIRMAN: Mr. Sathe creates too much heat; as a result, the airconditioning has gone out of order...

(Interruptions)

Shri Sikanḍar Bakht.

THE MINISTER OF WORKS AND HOUSING AND SUPPLY AND REHABILITATION (SHRI SIKANDAR BAKHT): I beg to move*:

"That the Bill to provide for the prevention, control and abatement

of air pollution, for the establishment, with a view to carrying out the aforesaid purpose, of Boards for the prevention and control of air pollution, for conferring on and assigning to such Boards powers and functions relating thereto and for matters connected therewith, be taken into consideration"

It is a pleasure for me to bring the Air (Prevention and Control of Pollution) Bill, 1978 for the consideration of the House.

17.18 hrs.

[SHRI N. K. SHEJWALKAR in the Chair]

SHRI A. C. GEORGE (Mukandapuram): Air well-cooled.

SHRI SIKANDAR BAKHT: Steps have already been taken to control water pollution. Hon. Members are justifiably anxious that early steps taken to control air pollution also.

Air pollution may not be quite as serious as water pollution, but it cannot be denied that it is also a menace which is a serious threat to human environment. Industrial cities like Delhi, Bombay, Calcutta, Kanpur etc. are already feeling its effects. Tests have been carried out there and it has been found that air pollution is on the increase.

Before bringing in this legislation, an exercise was made in my Ministry to see if the existing legislation could be suitably modified to deal with the problem. The existing legislations are the Factory Act, Criminal Procedure Code, Smoke Nuisance Act etc. but all of them were found to be inadequate. Hence the need was felt for a comprehensive legislation to deal with all aspects of air pollution. An expert committee was appointed for the purpose. The committee recommended a Central Act for this purpose and gave us a draft Bill.

*Moved with the recommendation of the President.