

person gets more than Rs. 600/- today. Are we to be considered even less significant than all these persons? What I would say is that, if you want us here as the makers of the destiny of the country, if you want the best people, if you want us to serve the nation whole-time, if you want this to be done, make Members more efficient. If you do this, later on, even more efficient people can be got. Therefore, in regard to this legislation, don't talk of lack of funds or shortage of funds. Don't worry about criticism. What is the criticism, and who is criticising, I would like to know. This is unnecessary. Don't pay heed to that. You should see that your Members are more efficient. Give them the wherewithal and they will be more efficient. Thank you very much for giving me this opportunity.

SHRI K. RAGHU RAMAIAH: Sir, I fully appreciate the sentiments expressed with such gusto and enthusiasm by Dr. Kailas, Shri Daga and Shri Sathe. I have already explained the reasons why Government have come forward with this measure. I have nothing to add.

MR. SPEAKER: Now, I think, whatever you have got is enough. We will have another phase coming very soon, a second effort so that whatever you desire and wish and whatever you aspire for now may be fulfilled. The question of pension and other things have been pending since long. The Presiding Officers' Conference also considered this, some time back, about pension. A member who has continued for two terms, or even three terms, should be entitled for pension. I am telling you, what was considered there. Don't be disappointed if I give my own instance because we follow the British Convention. A member who becomes speaker even for five minutes is entitled for pension for life. If I can go without it, you should also go without that. Now, you be contented with

whatever you have got. Go back home happy and some other good time, some other auspicious time may come when you may get more.

I shall put this question now. The question is:

"That the Bill be passed"

The motion was adopted

13.15 hrs

CUSTOMS TARIFF BILL

THE MINISTER OF STATE IN THE
MINISTRY OF FINANCE (SHRI
PRANAB KUMAR MUKHERJEE): I
move:

"That the Bill to consolidate and amend the law relating to customs duties, as reported by the Select Committee, be taken into consideration".

As the Hon'ble Members are aware, this Bill was introduced in this House on the 10th May, 1974 and was referred to a Select Committee of this House on the 6th September, 1974 so that it could receive proper examination. The Select Committee has examined the Bill in detail and presented their report with the Bill as amended on the 25th July, 1975. The amendments to the Bill made by the Select Committee are mostly consequential to the changes made in the Indian Tariff Act, 1934 subsequent to the introduction of this Bill, by the Finance Act, 1974, or the Tariff (Amendment) Act, 1975 giving effect to the recommendations of the Tariff Commission. A few changes have also been made in the Interpretative Rules and Section and Chapter notes for a better alignment of the new Import Tariff Schedule with the Brussels Tariff Nomenclature on which it has been based.

*Moved with the recommendation of the President.

[Shri Pranab Kumar Mukherjee]

Sir, the main object of the Bill is to rationalise and modernise the nomenclature of the Import Customs Tariff. As the Hon'ble Members are aware, the present Tariff Act was enacted as far back as 1934. The Import Tariff Schedule of the present Tariff Act has become out of date in the light of present conditions and the substantial change in the pattern of India's trade. The international system of classifying goods for Customs purposes known as Brussels Tariff Nomenclature, which is administered by the Customs Co-operation Council, Brussels, has been rapidly gaining ground in recent years and has been adopted by more than 100 countries of the world, both developed and developing as the basis of their national Customs Tariffs. In these circumstances, there was an evident need to examine our own tariff and bring it in line with contemporary conditions.

It was for this purpose that the Government had set up a Tariff Revision Committee which included representatives not only of Government Ministries and Departments but also of leading commercial and industrial organisations. After detailed enquiry this Committee had recommended that the Import Tariff Schedule should be revised and based broadly on the Brussels Tariff Nomenclature with such changes as might be necessary in the light of India's trade pattern, development needs and other factors. The Committee had also suggested certain changes, mostly of a drafting character, to the substantive provisions of the present Tariff Act and to the Export Tariff Schedule and had further recommended that the Indian Tariff (Amendment) Act, 1949 which was enacted for the purpose of giving effect to the tariff concessions agreed to by India under the GATT need not be continued as a separate enactment and the few provisions of this Act, if still required, could be incorporated in the Revised Tariff Act itself.

The Government accepted the recommendations of the Tariff Revision Committee and a Customs Tariff Bill,

1969 was introduced for this purpose in the Lok Sabha on the 24th December, 1969 and was referred to a Select Committee of this Hon'ble House. However, before that Select Committee could submit its report, the Bill lapsed on the dissolution of the Fourth Lok Sabha and hence the present Bill. Subject to the changes which have become necessary consequent on subsequent developments, this Bill is on the same lines as the 1969 Bill.

The main features of the present Bill are that in the Import Tariff Schedule the description of articles is based on the Brussels Tariff Nomenclature but the individual headings of that Nomenclature have been either merged or sub-divided to accord with the pattern of India's import trade. The main purpose of these sub-headings is to provide for differences in the rates of import duty, to specify individual articles of importance in our import trade or to show separately articles subject to a protective duty. In specifying the rates of duty in the Import Tariff Schedule, every effort has been made to maintain the existing rate structure. As in the present schedule, the effective rates of duty in certain cases would be provided through exemption notifications under the Customs Act, 1962.

In a very few cases it has been found necessary to make departures from the Brussels Tariff Nomenclature as they were unavoidable in the circumstances of India. These relate to the classification of laboratory chemicals which have been provided under a single sub-heading, assessment of 'project imports' at a flat rate of duty and assessment of passengers' baggage and personal importations by post or air and ship stores.

Sir, clause 1(3) of the Bill makes clear that it shall not come into force with immediate effect but only on such date as the Central Government may, by notification in the official Gazette, appoint. The existing tariff will, there-

fore continue to be in force even after this Bill becomes an Act. The Tariff Revision Committee had recommended certain preparatory steps to be taken to ensure a smooth switch-over from the old to the new import tariff. It is accordingly proposed to bring the new import tariff into force after allowing a period of about 6 months of preparation after the Bill had been passed by Parliament. During this period necessary administrative steps are proposed to be taken to familiarise both the Customs administration and the trade in the operation of the new tariff.

Sir, I move.

MR. SPEAKER: Motion moved:

"That the Bill to consolidate and amend the law relating to Customs duties, as reported by the Select Committee, be taken into consideration."

श्री इतहार्क सम्बन्धी (अमरोहा) । अध्यक्ष महोदय, यह बिल जो लाया गया है और जैसा कि मकसद इस में वित्त मंत्री ने बतलाया, बहुत अच्छा है, होना चाहिए । लेकिन मैं यह अर्थ करूँगा कि जितना भी मैं मुस्तमर तौर पर इस को देख सका, उस से यह पता नहीं चला कि इस में जिन चीजों के लिए कंसेशन दिया गया है, कंसेशनल कमोडिटीज में उन चीजों को जो कि हिन्दुस्तान के मरीजों के लिए जरूरी हैं जैसे एकसरे में कम आने वाली फिल्में या और इसी तरह की चीजे हैं उन के अदर क्या कंसेशन दिया गया है । बेहतर होता कि इसके बारे में भी यह बतलाते ।

देखने में यह आता है, बेशक कस्टम का काम बहुत बढ़ा है । यकीनन हिन्दुस्तान में इम्पोर्टर्स ने बहुत ज्यादा कमाया भी है । उन के मुनाफे में भी कुछ कमी करने की जरूरत है । इस लिहाज से टरिफ ने अपना रेट अगर बढ़ाया तो कुछ बुरा नहीं किया । लेकिन देखने में यह आता है कि आप टरिफ का कितना ही रेट बढ़ाएं, कितना ही सामान

बावजूद आप को कोशिशों के स्वगत हो कर के आता है और कितना ही सामान बगैर कस्टम अदा किए हुए निकल जाता है । कैसे निकल जाता है ? आज शायद अगर यह कहा जाय कि हिन्दुस्तान में सब से ज्यादा इनकम टैक्स का रुपया मारे जाने के बाद अगर कहीं सरकारी रुपया मारा जा रहा है तो वह कस्टम के जरिए आर बाहर से आने वाले माल पर जो पैसा मिलना चाहिए वह न मिलने की वजह से मारा जा रहा है, तो यह गलत नहीं होगा । होता क्या है ? कस्टम में यह देखने में आता है कि पहले से तय होता है, सामान आया किस तरह से दबा दिया गया । वह पहले से तय है उन आफिसर्स से कि इतना जाहिर किया जायगा, इतने पर कस्टम लगाया जायगा, बाकी ऐसे ही निकल जायगा । मुझे बड़ी खुशी होती इस बिल में अगर कहीं इस तरह की बात होती कि जिस में ऐसे करप्शन को रोकने की भी गुंजाइश की गई होती । मशहूर तो यह है कि बाहर से आने वाले सामान की जो स्मॉलिंग यहा हो रही है उस में पहले से कस्टम आफिसर से तय होता है कि वस किसितयां आएंगी, एक आप पकड़ेगे और नौ निहायत इल्मीनान से निकल जाएंगी ।

आप रेट बढ़ाएं, उस से इन्कार नहीं है । लेकिन बढ़ाए हुए रेट मिलने चाहिए, बसूल होने चाहिए । यह कोई बात नहीं कि एक तरफ तो रेट बढ़ा दिया और दूसरी तरफ इस का इतजाम न किया जाय कि वहां से करप्शन दूर हो और जितना पैसा इस के जरिए से बसूल होना चाहिए वह पैसा बसूल हो । जाहिर है कि बढ़ते हुए हिन्दुस्तान में एक्सपोर्ट भी बढ़ेगा इम्पोर्ट भी बढ़ेगा । एक्सपोर्ट हम उम्मीद करते हैं कि ज्यादा बढ़ेगा । के केन इम्पोर्ट भी बढ़ेगा । इम्पोर्ट बढ़ने के साथ साथ यह निहायत जरूरी है कि जो उस में करप्शन है उस की तरफ भी आप देखें ।

[श्री इसहाक सम्भल:]

बहुत अच्छा हुआ कि स्मगलर्स की पकड़ घकड़ हुई। आज अजब अजब बाक्यों सामने आ रहे हैं कि स्मगलर्स ने किस तरह करोड़ों नहीं अरबों रुपया कमा कर के हिन्दुस्तान का अरबों रुपये का नुकसान किया। लेकिन इन स्मगलर्स से मिल कर चलने वाले कस्टम आफिसर्स और कस्टम स्टाफ के लोग खुद लाखों-पति नहीं, करोड़ों पति बने बैठे हैं। उन के वास्ते भी इस में कुछ किया जाना चाहिए था।

जरूरत इस बात की है कि हमारे हिन्दुस्तान की बहुत बड़ी तिजारत जो समुद्री रास्ते और कुछ हवाई रास्ते से होती है उस में इस बढ़ते हुए करप्शन को रोका जाय। स्मगलर्स का पकड़ने के लिए जितनी भी तारीफ की जाय कम है। ऐसे मौके पर मैं श्री के० आर० गणेश की तारीफ किए बिना नहीं रह सकता। उन्होंने इस मुहिम को शुरू किया और बड़े अच्छे तरीके से शुरू किया। हमें अफसोस के साथ कहना पड़ता है कि वह इस डिपार्टमेंट में नहीं रहे और हमें खुशी है कि एक एनर्जेटिक नौबतान प्रोफेसर प्रणव कुमार मुखर्जी उन की जगह पर आए। हम उम्मीद करते थे कि आप भी उसी तरह पर उस मुहिम को जारी रखेंगे। लेकिन मालूम नहीं क्यों वह मुहिम ठण्डी पड़ रही है। वह कुछ हमारी अदालतों की वजह से ठण्डी पड़ी। एक एक स्मगलर जो पकड़ा गया था शायद ही उस में कोई ऐसा स्मगलर बाकी रहा हो जिस की जमानत न हुई हो, जो छूट कर के न गया हो। अदालतों ने इस का ख्याल नहीं किया कि इस से हिन्दुस्तान की एकोनामी पर क्या असर पड़ रहा है और इस के बाद मालूम यह हुआ कि कोई इस तरह की मुहिम बाक्ये नहीं रहा। गनीमत यह हुई कि जब एमरजेंसी आई तो फिर यह ख्याल आया। फिर इस तरफ कदम उठाए गए। लेकिन उन को मिरफतार करने के साथ साथ हम को खशी हो ती अगर किसी एक बड़े इस

डिपार्टमेंट के आफिसर के बारे में हम यह पक लेते हैं अखबार के जरिए यह मालूम हो जाता कि डी आई आर में या मिसा में कोई बड़ा कस्टम आफिसर भी पकड़ा गया।

यह रेट बढ़ कर के हमारे हिन्दुस्तान के खजाने में पैसा आएगा हम को इस बारे में बहुत शुबहा है। जब तक कि इसके वास्ते या तो इस के स्टाफ की घोवरहालिंग नहीं होगी या इस के लिए कोई खास इंटेलिजेंस डिपार्टमेंट नहीं क्रिएट किया जायगा जो डिपार्टमेंट इस को ईमानदारी के साथ देखे, ईमानदारी के साथ इस की निगरानी करे, तब तक इस बिल का फायदा नहीं हो सकता है। मैं उम्मीद करता हूं कि इस की तरफ मंत्री महोदय तबज्जह करेंगे।

यह मैं जरूर कहूंगा कि वे चीजें जो हिन्दुस्तान में खालिम ऐश के लिए आती हैं उन पर तो चाहे कस्टम और बढ़ाया जाय उन पर आप ड्यूटी का रेट और बढ़ाइए लेकिन वे चीजे जो कामन मैन के लिए जरूरी हैं जो बीमारों के लिए जरूरी है, जो उन इन्सानो की जिन्दगी बचाने के लिए जरूरी हैं उन पर जो कस्टम पड़ने वाला है मैं उम्मीद करता हूं कि उन को आप कंसेशन ही नहीं देंगे बल्कि उन को आप फ्री रखेंगे। इस में कंसेशन दिया गया है बहुत सी चीजों में लेकिन जरूरत इस बात की है कि ऐसी चीजों में कंसेशन दिया जाय कि जो मेडिकल स्टूडेंट्स के वास्ते जरूरी हैं। वह इन्क्विपमेंट्स जो मेडिकल कालेजेज के लिए जरूरी हैं, वह एक्विपमेंट्स जो मरीजो के लिए जरूरी हैं उन को इस में बिलकुल एग्जम्प्ट होना चाहिए ताकि इन के जरिए से कामन मैन की फायदा पहुंच सके।

आखिर में एक चीज की तरफ मिनिस्टर साहब की तबज्जह और बिलाऊंगा। जहां आपसे यह दरखास्त की गई कि आप इसको बेहतर बनायें वहां आपसे यह भी दरखास्त की जायेगी कि दूसरे मुल्कों में जाकर, जैसा

कि मुझे मालूम है इस सिस्टम का मुद्रा इना किया गया, देखा गया कि किस तौर पर हम इस सिस्टम को बेहतर बना सकते हैं लेकिन अभी तक शायद उस स्टडी टीम की रिपोर्ट कोल्ड स्टोरेज में पड़ी हुई है, उस पर क्यों नहीं प्रमलदराम्द होता ? बड़े प्रसे के बाद, बड़े जोर और हंगामे के बाद श्री के० प्रार० गणेश ने जब एनाउन्स किया था तब चारों तरफ से एप्र सिएशन हुआ था कि तेज रफ्तार विधियां मंगाई जायेंगी । दुर्गा और काली नाम की जो किशियां आई थीं उनमें एक को तो स्मगलर्स ने पहले ही महीने नाकारा कर दिया, दूसरी कितनी चल रही है मैं नहीं जानता । तो जरूरत इस बात की है कि हमारा कस्टम जो बढ़ाया जा रहा है और जो है वह सही तौर पर वसूल हो । इसके लिए जो भी स्टडी टीम मकरंर की गई थी, जो बाहर भी गई, जिसपर लाखों रुपए का फोरन एक्सचेंज खर्च हुआ उसको जो रिक्मेंडेशन्स हैं उन रिक्मेंडेशन्स को काम में लाया जाये । वह माडर्न एक्वीपमेन्ट या वह माडर्न मशीनरी जो स्मगलिंग को रोकने के लिए और हमारे पैसे को खुर्द-बुर्द होने से रोकने के लिए जरूरी है उसको खरीदने में देर न की जाये, उसको पूरी तौर पर इस्तेमाल में लाया जाये तभी इस बिल का लाना हमारे लिए मुफीद हो सकता है ।

13.31 hrs.

[Mr. DEPUTY-SPEAKER in the Chair]

मैं उम्मीद करता हूँ कि हमारे नौजवान मिनिस्टर न सिर्फ स्मगलिंग के खिलाफ अपनी मुहिम को तेज करेंगे बल्कि इसमें जो करप्शन है उसके लिए भी कदम उठावेंगे और एक मिसाल कामम करेंगे । हम उस वक्त के नुस्तजर हैं जबकि हमें यह मालूम है कि करोड़ों में खेलने वाले बड़े बड़े कस्टम अधिकारी भी कहीं पर शिकंजे में घायें, कहीं वे भी मीसा में बन्द हुए, कहीं वे भी डी० आई० प्रार० में बन्द हुए । इन प्रलफ़, ज, के साथ मैं इस बिल की ताईद करता हूँ ।

[شی اسحاق سلہلی (امروہہ):

ادھیکس پہودے - یہ بل جو لایا گیا ہے اور جیسا کہ مقصدات منکری نے بتلایا - نہت اچھا ہے - ہونا چاہئے - لیکن میں یہ عرض کرنا کہ جتنا بھی میں مختصر طور پر اس کو دیکھ سکا اس سے یہ پتہ نہیں چلا کہ اس میں جن چیزوں کے لئے کنسیشن دیا گیا ہے - کنسیشنل کنویٹیوٹیز میں ان چیزوں کو جو کہ ہندوستان میں مریضوں کے لئے ضروری ہیں - جیسا کہ ایگسٹ میں کام آنے والی فنڈس - یا اور اسی طرح کی چیزیں ہیں ان کے اندر کیا کمیشن دیا گیا ہے - بہتر ہوتا کہ اس کے بارے میں بھی وہ بتاتے -

دیکھنے میں یہ آتا ہے بے شک کسٹم کا کام بہت بڑھا ہے - یقیناً ہندوستان میں امپورٹرز نے بہت زیادہ کمایا ہے - ان کے منافع میں بھی کچھ کمی کرنے کی ضرورت ہے - اس لحاظ سے تھرو نے اپنا دیت اور بڑھایا تو کچھ برا نہیں کہا - لیکن دیکھنے میں یہ آتا ہے کہ آپ تھرو کا کتنا ہی دیت پڑھائیں ، کتنا ہی سامان باوجود آپ کی کوششوں کے سنگل ہو کر آتا ہے - اور کتنا ہی سامان بغیر کسٹم ادا کئے ہوئے نکل جاتا ہے - کیسے نکل جاتا ہے - آج شاید اگر یہ کہا جائے کہ ہندوستان میں سب سے زیادہ انکم

[ذری استحقاق سلیمت]

ٹیکس کا روپہہ مارنے جانے کے بعد اگر کہیں سڑکوں (روپہہ مارا جا رہا ہے تو وہ کسٹم کے ذریعہ اور وہ باہر سے آنے والے مال پر جو پوسٹ سائلا چاہئے وہ نہ ملنے کی وجہ سے مارا جا رہا ہے - تو یہ غلط نہیں ہوگا - ہوتا کہا ہے - کسٹم میں یہ دیکھنے میں آتا ہے کہ پہلے سے طے ہوتا ہے - سامان آیا کس طرح سے دیا دیا گیا - وہ پہلے سے طے ہے ان آفسرز سے کہ کتنا ظاہر کہا جائے گا انہی پر ٹیکس لگایا جائے گا، باقی ایسے ہی نکل جائے گا -

مجھے بڑی خوشی ہوئی اس بل میں کہیں اس طرح کی بات ہوئی کہ جس میں ایسے کریشن کو روکنے کی بھی کوشش کی گئی ہوتی - مشہور تو یہ ہے کہ باہر سے جانے والے سامان کی جو سیکلنگ یہاں ہو رہی ہے اس میں پہلے سے کسٹم آفسرز سے طے ہوتا ہے - کہ کس کسٹیاں آگہنگی - ایک آپ پکڑ لیا اور تو نہایت اطمینان سے نکل جائیگی -

آپ ریٹس پڑھائیں، اس سے انکار نہیں ہے - لیکن پڑھائے ہوئے ریٹس ملنے چاہئیں، وصول ہونے چاہئیں - یہ کوئی بات نہیں کہ ایک طرف تو ہفت پڑھا دیا جائے اور دوسری طرف اس کا انتظام نہ کیا جائے کہ وہاں سے کریشن دور ہو - اور جتنا پوسٹ اس کے ذریعے سے وصول ہونا چاہئے وہ پوسٹ وصول ہو ظاہر ہے کہ پڑھتے ہوئے ہندوستان میں ایکسپورٹ

میں بڑھے گی ایکسپورٹ بھی ہم اسود کرتے ہیں کہ زیادہ پڑھنگی - لیکن ایکسپورٹ بھی پڑھنگی - ایکسپورٹ پڑھنے کے ساتھ ساتھ یہ بہت ضروری ہے کہ جو اس میں نویشن ہے اس کی طرف ہر آپ دیکھیں -

بہت اچھا ہوا کہ سیکلز کی پکڑ دھکڑ ہوئی - آج عجیب عجیب واقعہ سامنے آ رہے ہیں - کہ سیکلز نے کس طرح اردوزوں نہیں اردوزوں سے کما کر ہندوستان کو اردوزوں سے مل دیا کیا - لیکن ان سیکلز سے مل کر چلنے والے کسٹم آفسرز اور کسٹم سٹاف کے لوگ خود لاکھوں پتی نہیں کر رہے ہیں بہت سے ہیں - ان کے واسطے بھی اس میں کچھ کیا جانا چاہئے تھا - ضرورت اس بات کی ہے کہ ہمارے ہندوستان کی بہت بڑی تجارت جو سلڈری راستے اور کچھ ہوائی راستے سے ہوئی ہے - اس میں اس بڑھتے ہوئے کریشن کو روکا جائے -

سیکلز کو پکڑنے کے لئے چلتی ہی تعریف کی جائے وہ کم ہے - ایسے موقعے پر - اس شری کے آرگنٹس کی تعریف کئے بنا نہیں رہ سکتا - انہوں نے اس میں کوشش کیا اور بڑے اچھے اچھے طریقوں سے شروع کیا - ہمیں انہوں نے ساتھ ساتھ پڑھا ہے کہ وہ اس تیار شدہ میں نہیں رہے اور ہمیں خوشی ہے کہ ایک ایڈجسٹ

نوجوان پروفیسر پرنسپ کیلئے مکتوبی
 ان کی جگہ پر آئے۔ ہم اسے کہتے
 تھے کہ آپ بھی اسی طرح پر اس
 مہم کو جاری رکھیں گے۔ لیکن معلوم
 نہیں کہوں وہ مہم تھادی پڑ رہی
 ہے۔ وہ کچھ ہماری عدالتوں کی وجہ
 سے تھادی پڑی۔ ایک ایک سنگلر جو
 پکڑا گیا تھا۔ شاہن ہی اس میں
 کوئی ایسا سنگلر باقی رہا ہو جس
 کی ضمانت نہ ہوئی ہو۔ جو چھوٹ
 کر کے نہ گیا ہو۔ عدالتوں نے اس کا
 خیال نہیں کیا کہ اس سے ہندوستان
 کی اکادمی پر کیا اثر پڑ رہا ہے اور
 اس کے بعد۔ معلوم یہ ہوا کہ کوئی
 اس طرح کی مہم نہیں باقی رہی۔
 غایت یہ ہے کہ جب ایمر جہانسی
 آئی تپ وہ یہ خیال آیا۔ یہ اس طرح
 قدم اٹھائے گئے۔ لیکن ان کو گرفتار
 کر کے ساتھ ساتھ ہم کو خوشی
 دینی اڈر کسی ایک بڑے قیہار میلٹ
 نے آفیسر کے بارے میں ہم یہ پتہ
 لگے۔ ہمیں اخبار کے ذریعے یہ معلوم
 ہو جاتا کہ قبی آئی آر میں یا مہسا
 میں کوئی بڑا کسٹم آفیسر بھی
 پکڑا گیا۔

اگر ریٹ بڑھا کر کے ہمارے
 ہندوستان کے خزانے میں بڑھا آئے گا
 ہم کو اس بارے میں بہت شبہ

ہے۔ چپ تک اس واسطے یا تو
 اس کے ستاف کی اوور ہالنگ نہیں
 ہوگی یا اس کے لئے کوئی خاص
 ایٹیاہ مجلس قیہار تھلت نہیں کریٹ
 کیا جائیگا جو قیہار تھلت اس کو
 ایمانداری کے ساتھ دیکھے۔ ایمانداری
 کے ساتھ اس کی نگرانی کرے۔ تپ
 تک اس بل کا فائدہ نہیں ہو سکتا۔
 میں اسہد کرتا ہوں کہ اس کی طرف
 مذہبی مہوں کے وجہ کریں گے۔

۱۰ میں ضرور کہوں گا کہ وہ چیزیں
 جو ہندوستان میں خالص آہس کے لئے
 آئی ہوں ان پر تو چاہے کسٹم اور
 پڑھایا جائے، ان پر آپ قہوتی کا ریٹ
 اور بڑھائیں۔ لیکن وہ چیزیں جو کامن
 میں کے لئے ضرور ہوں، جو کہ
 ہماروں کے لئے ضروری ہوں، جو ان
 انسانوں کی زندگی بچانے کے لئے
 ضروری ہوں ان پر جو کسٹم پڑنے والا
 ہے میں اسہد کرتا ہوں کہ ان کو
 آپ کرسٹن ہی نہیں دینگے بلکہ انکو
 آپ فری دکھائیں گے۔ اس پر کلسٹن
 ذیادہ ہے۔ بہت سی چیزوں میں
 لیکن ضرورت اس بات کی ہے کہ ایسی
 چیزوں پر کلسٹن دیا جائے جو
 میڈیکل سٹوڈینٹس کے لئے ضروری
 ہیں۔ وہ ایکویپمنٹس جو میڈیکل
 کالجوں کے لئے ضروری ہوں۔ وہ

[شری اسحق سلیمانی]

ایکوویٹمنٹس جو سرپیسوں کے لئے ضروری
ہیں ان کو اس میں بالکل ایکویٹمنٹ
ہونا چاہئے تاکہ ان کے ذریعے سے
کامن مین کو فائدہ پہنچ سکے -

آخر میں ایک چیز کی طرف اور
ماسٹر صاحب کا دھیمان دلاؤنگا۔ جہاں
آپ سے یہ درخواست کی گئی ہے کہ
آپ اس کو بہتر بنائیں وہاں آپ سے
یہ بھی درخواست کی جا چکی کہ
دوسرے ملکوں میں جا کر جیسا کہ
مجھے معلوم ہے اس سسٹم کا موازنہ
کیا گیا ہے دیکھا گیا کہ کس طور پر
ہم اس سسٹم کو بہتر بنا سکتے ہیں۔
لیکن ابھی تک شاید اس سسٹمی
ٹیم کی رپورٹ ولڈ سٹوریج میں
پتی ہوئی ہے۔ اس پر کیوں نہیں
عمل درآمد ہوتا۔ بڑے عرصے کے بعد
بڑے زور اور ہنگامے کے بعد شری کے آر
گلیوش نے جب اناؤس کیا تھا تو
چاروں طرف سے ایڈریسیشن ہوا تھا
کہ تیز رفتار کشتیاں منگوائی جائیں گی۔
دوگا اور کالی نام کی جو کشتیاں انہیں
تھیں ان میں سے ایک کو تو سمکروز
نے پہلے ہی مہینے نا کارہ کر دیا
دوسری - کشتی چل رہی ہے - میں
میں جانتا - تو ضرورت اس بات کی

ہے کہ ہمارا کسٹم چو ہمارا جا
دیا ہے اور جو ہے وہ صحیح طور پر
وصول ہو - اس کے لئے جو ابھی سٹیٹی
ٹیم مقرر کی گئی تھی جو باہر بھی
گئی تھی ؟ جس پر لاکھوں روپے کا
فان ایکسچینج خرچ ہوا -
اس نو جو ریگمنٹیشن ہے
ان ریگمنٹیشنز کو کام میں لایا جائے۔
وہ مائٹن ایکویٹمنٹ یا وہ مائٹن
مشہوری چیز سمگلنگ کو روکنے کے لئے
اور ہمارے پیسے کو خورد برد ہونے سے روکنے
ضروری ہے اس کو خریدنے میں دیر نہ
کی جائے - اس کو پوری طور پر
استعمال میں لایا جائے - تبھی اس
بل کا لایا جانا ہمارے لئے مفید ہو
سکتا ہے -

میں امید کرتا ہوں کہ ہمارے
نوجوان منسٹر لہ صرف سمگلنگ کے
خلافت اپنی مہم کو تیز کرینگے
بلکہ اس میں جو کورپشن ہے اس کے
لئے بھی قدم اٹھاؤنگے اور ایک مثال
ہم اس وقت کے مدنظر قائم کرینگے -
ہوں - جبکہ ہمیں معلوم ہو کہ
کورژوں میں کھیلنے والے بڑے بڑے
کسٹم ادھیکاری بھی کہیں پر شکنجے
میں آئے - کہیں وہ بھی مہیا میں
بلد ہوئے - کہیں وہ بھی تی آئی آر
میں بلد ہوئے - ان الفاظ کے ساتھ
میں اس بل کی تائید کرتا ہوں۔]

SHRI ARAVINDA BALA PAJANOR (Pondicherry): Mr. Deputy Speaker, Sir, I welcome and support this piece of legislation and I think this piece of legislation has come up before this House in time also and I have to congratulate the Minister of State in the Ministry of Finance, Shri Pranab Kumar Mukherjee. Sir, sometime back we were discussing about the facilities to be afforded to the Members of Parliament and how they have to be encouraged to function properly in this House. I feel now that this is a very important piece of legislation. I also agree with many of the points which have been included in this Bill but some Members have not availed of the facility of going through this Bill and that may be one of the reasons why they are not taking that much of interest or unable to take that much of interest in this legislation. To me this piece of legislation comes in the way of the black economy in this country. The Customs Tariff Act of 1934 as amended subsequently and now in the name of Customs Tariff Bill is nothing but a protection that is being given to the indigenous industries and indigenous products that are produced in this country. But at the same time, this is going to stop these smugglers, curtailing the black money and putting an end to this black bank, as explained. Sir, the hon. Member has also said that though we say so many things about these smugglers and the control of these anti-social elements who are bringing in smuggled goods into this country, the question is how far the action taken by the Government will prove efficient. Sir, during this Emergency, this Bill should be given importance and top-most priority. Now, we have read in the newspapers that a number of smugglers were arrested, and they were solely responsible for bringing in smuggled goods into this country. The Bill puts a heavy tariff so that these things are not imported into this country and indigenous production of these items may be encouraged. Once you stop the smugglers' operations, we expected that these articles will not be sold in public. But we are not setting the correct example.

When we enter the rooms of some officials or ministers—here as well as in the States—we see foreign goods, which are sought to be prohibited by this Bill. I say 'prohibited' because the duty contemplated is so heavy that indirectly we are prohibiting them. But when people see such articles in these 'model offices', their attention is attracted and they too want to possess them. So, though we condemn these people in this House and pass legislation, we indirectly help them and become abettors in this crime. So, I request the Finance Minister to see that the possession of these foreign articles is questioned. I do not say, confiscate them. But if they are not able to account for them properly, why not levy this high tariff duty on them also? So, unless the possession of such articles is also regulated, the danger is still there.

You are not giving proper concession to certain commodities. A relation of mine had a sad experience about X-ray photos. The Hindustan Photo Films at Ooty is manufacturing good products, but very often in the medical field, it is highly disappointing. There must be a certain amount of competition in this industry. There are various chapters here concerning minerals, animal products, vegetable products etc., but there are certain skilled items in which we require proper competition. So long as there is no healthy competition within this country, you must permit foreign countries which are really advanced in that particular field to compete with these people. Otherwise, we would be giving unnecessary protection and a lathargic mentality will get into these industries. Of course, beggars cannot be choosers. In India the demand is high and there is no production capacity in certain fields. There are no research centres for promoting efficiency in certain skilled products, which are very essential for our survival. For instance, I do not find proper concession being given to the baby food industry in this Bill. I am really surprised that we Members of Parliament, who are very much in-

[Shri Aravinda Bala Pajahor]

involved in this, do not find time even to go through the preamble of the Bill and understand it. We spent 2½ hours on the Bill to amend the salaries and allowances of Members of Parliament and so many members spoke on it. But I do not know how many of us will go deep into this Bill. It is very difficult for me to go through the entire Bill and understand the provisions in 2 or 3 days. But after a glance, I feel this is a very good Bill. At this moment, to put the economy in proper shape, this kind of legislation is very important. I expect in the next session more such Bills will be brought before the House, instead of routine Bills on small matters. The Minister said this Bill will take effect from the appointed day. You have taken hold of some big smugglers and much ado has been made about it. Some smugglers were making Rs. 3 crores per day. They were spending Rs. 2½ crores, saving half a crore. All these people are arrested but what has happened to their property? Even if their properties are attached, in my State as well as in my neighbouring State, nothing is being done in this regard. We know of Sukur Narain Bakhia, we know of Yusuf Patel, we know of Haji Mastan and one, of course, is still absconding. These people are under custody but nothing has happened with regard to their properties. There is a common feeling in this country that you earn your wealth by any means to keep your next generation happy. You get out of it and you protect the future generation by this illegal wealth. So their sons, their daughters, their son-in-laws are enjoying a very good life. There are two towns—Kizhakarai and Adramapattanam—practically those towns are deserted now. People have constructed houses there worth Rs. fifty lakhs, seventy lakhs and even worth one crore. They are all deserted. They keep one watchman in that house. I wonder what kind of action is being contemplated or taken about them in this Emergency. So, they can amass wealth by any means so that the future generation can be benefited.

The same is the case of black money. When you are thinking of this Bill, I think, you are not only protecting the economy but you are modelling the economy in the fashion that our Prime Minister has desired. The Prime Minister has said that we will have an economy where the gap between the rich and the poor will be narrowed. These people have, what we may call, a black bank. Whatever measures you may bring in, they have a loophole and through that loophole they bring money in this country. The law is that money can be sent from abroad through Reserve Bank only. But these black bank people have a separate system. They send the money through some agency and they go on doing their business without any hindrance. This is due to the fact that the officials of the Customs Department are not properly implementing the legislation that is already in vogue in this country. From my experience, I can say that the Tax Administration is not enough to contain this disease and we have a poor set of people at the helm of affairs to check, control or take proper action in this regard. Whenever people come from other countries, they bring in some articles from other countries. But these Customs officials harass only those people who are very poor for the simple reason that they demand certain things from them. If they bring two fountain pens they will ask for one; if they bring two watches they will ask for one; if they bring two transistors, they will ask for one. Whereas the real smugglers, the real black bank people go outside every three or six months and bring lot of goods from outside and these people bribe the Customs people. If you enter into these officials houses, you will find a number of foreign-made articles there. And that is the reason why we failed to enforce the legislation. We must have supervision over these people and we must have people of integrity there. These people should not be kept at one place for more than one year. Besides this, the Customs officials have a feeling that they are super masters. They threa-

ten the poor people and leave out the black bank people. They leave the monsters; they allow them to grow as big as possible because, you know, this illegal gratification has become legal gratification as far as this bill is concerned. We may defend it; I am sure the hon. Minister is bound to defend his staff. It is a fact. But in this Parliament, we have to tell the truth. It is a known fact, how these customs authorities function. If a Minister or his relation is coming from outside, there is no regulation, there is not that force. If a Member of parliament is coming, there may not be that much force. Then an ordinary citizen comes, then they enforce the rules. The loophole is given, or the lacuna is created from above, not from below. The mistake lies in our administration. So, I requested the Finance Minister, when he introduced the bill to give a lesson to the authorities concerned, on how and why these rates are fixed. He rightly said that it will take some more time for them to introduce the bill, because they required a certain amount of training. I think he spoke on the rates and training thereon, because what was earlier charged at 150 per cent may now be charged at 200 per cent or what is charged at 40 per cent may now be charged at 80 per cent, or, they may have to get used to certain articles which have no duty. I feel that whenever we introduce a legislation like that, it is necessary for us to see how it will be implemented. This implementation should be based on the experience that we have gained during the last 15 or 20 years. After independence, we started regulating foreign goods for two reasons; one, to encourage our own entrepreneurs who are making things in our own country; and secondly to balance the economy and to keep the Reserve Bank in the proper style, and the velocity or force or the growth of the money in the proper style. In order to do this, we introduce this kind of legislations which is called economic legislations. We contemplate a legislation in this light, we must take into account the experience that we have gained during

the last 15 years. If a paragraph or a preamble is given at least by the Joint Committee in a legislation like this, saying: "this is the experience that we have gained; it is happening like this; we are categorizing them into 4 or 5 paragraphs or 4 or 5 chapters," then it will be easy for us to understand. If it is not easy for us to understand how would a common man or an officer understand it? At least in future, whenever a piece of legislation is introduced, you should see that it is classified. Not only that. If there is a precedent or if there are previous examples to a bill, as are available to this bill in the Tariff Bill of 1934, you must indicate as to what that bill is, and indicate how this differs from the earlier one, in a short note. A precise note should be given, so that we can understand, fully and participate and make our contributions correctly, as is expected of legislatures. Napoleon had said: "Give me good mothers; I can give you a good nation." Similarly, I can say: "Let there be good legislators, we will give good laws." A number of amendments are taking place because of piece-meal legislations. Not only that. There are lots of loopholes for the simple reason—I am sorry I am also a part of it—that we are not up to the mark. If we are up to the mark, we will make best pieces of legislation and there would be no need to have any amendments or corrections. This can be done only if we are given the opportunity, facilities and freedom that are required.

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI PRANAB KUMAR MUKHERJEE): Mr. Deputy Speaker, Sir, I am grateful to the hon. Members who have made their observations on the Customs Tariff Bill; but at the very beginning, I would like to submit very respectfully for consideration by you and for the consideration of the hon. Members that this is not a bill either for customs administration or for taking care of smuggling and other types of economic offences which are taking place in the country.

[Shri Pranab Kumar Mukherjee]

As I mentioned in my introductory remarks, this Bill is only to give effect to the Brussels nomenclature, which is the international standard, to the existing tariff items while maintaining the existing tariff rates. We are only switching over from the conventional nomenclature to the Brussels Tariff nomenclature, which is the international standard nowadays. That is the reason why though there are only 13 clauses, you will find quite a few hundred entries in the Schedules.

I agree with the hon. Member from Pondicherry that this price is highly technical in nature. That is the reason why it went to a Select Committee, when this Bill was introduced in 1969. But, due to the dissolution of the Lok Sabha, the Report of the Select Committee could not come before the House for consideration. After that, in the current Lok Sabha it was re-introduced and again referred to the Select Committee. That Select Committee took the trouble of visiting the various port towns; listened to the oral evidence and examined the various memoranda submitted by the trade and industry.

An hon. Member has mentioned that perhaps we have not enough competent people to administer this piece of legislation, so we require some training to be imparted to them and that is why I have indicated in my speech that six months' time would be required. That is not the position. The switch over from the conventional nomenclature to the Brussels Tariff nomenclature will cause some inconvenience to trade and industry. Therefore, it is not merely a question of making our people intelligible or imparting some training to them but also making the trade and industry well-versed in the new nomenclature, in the new terminology which replaces the old one. In order to facilitate the switch over we have made arrangements that there should be a transitional period, say, six months for the complete switch-over from the

conventional nomenclature to the Brussels Tariff nomenclature.

While speaking on this Bill some observations have been made about the anti-smuggling operations and other things. Here I may say for the information of the hon. Members that while discussing the amendments to the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act which Bill I had the privilege of piloting, I gave detailed information about the various measures which have been taken against smugglers. I would not like to repeat them here especially when they are beyond the purview of this Bill.

Shri Ishadue Sambhali specifically wanted to know the position about the boats. I find that there is some misunderstanding in the mind of the hon. Member. If I have the privilege of taking some of the hon. Members to see those boats, if they could see them with their own eyes perhaps they would come to the conclusion that all those boats excepting one are functioning. Out of the 20 boats, one is beyond repair and the other 19 are functioning. It may be that casually they may have some snags while in operation but they are functioning. Even in the case of motor cars, it is not as if they function for all the 365 days. Sometimes they have to be sent to the workshop for overhaul or servicing or attending to some minor repairs. In the same way, when these sophisticated boats are in operation for some hours, sometimes they develop some snags which to be rectified. It is a fact that out of these 20 boats 19 are functioning in different ports under the customs. Therefore, it is not correct to say that from the very beginning one was out of order and the others did not function. I had the privilege of taking two or three of my colleagues to these boats and some news item also appeared in the press. I am sure that if I get an opportunity to show some members the functioning of those boats they can personally verify and satisfy themselves that those boats are functioning.

Regarding action taken against erring officers, I remember that in reply to a question by Mr. Daga I gave the complete figures. Since the crackdown of the operation, we have taken action against nearly 500 officers belonging to various categories. It is not true that we are not taking action. The hon. Member from Pondicherry has stated that only a few have been arrested. The fact is not like that. More than 1,300 detention orders have already been under this new Act, and this is a continuous process. If anyone thinks that only because of the emergency people are being arrested, it would not be correct. Last week I gave the month-wise break-up for the period September, 1974 to July, 1975, the number of seizures the number of raids, the number of smugglers put behind bars, action taken against absconders, the number of properties for which notices of attachment had been issued etc. There may be some variation in the figures, but that does not mean that the Government has slackened its efforts at any time or has dragged its feet,

SHRI G VISWANATHIAN (Wandiwash): Mr. Yasin has been absconding for more than a year, but his companies are functioning. No action has been taken, his properties have not been attached.

SHRI PRANAB KUMAR MUKHERJEE: If the hon. Member wants information about a particular case, I can give it later on, but I was emphasizing that the anti-smuggling operation is a continuous one and is going on. For that the House has granted us powers in the form of DIR, MISA etc., and they are used as and when exigencies demand.

So far as the Bill is concerned, only one point has been mentioned about the protective tariff. As I explained, we have tried to maintain as far as possible the existing rate of tariff, but in certain areas we had to make a

departure because of the Finance Act or the tariff revision which has already taken place, and in order to give effect to them we had to make some changes in the Bill. Because of that some consequential amendments have been made by the Select Committee and these have been explained in detail.

With these words I hope the House will give unanimous support to the passage of this Bill.

MR DEPUTY SPEAKER: The question is:

"That the Bill to consolidate and amend the law relating to customs duties, as reported by the Select Committee, be taken into consideration."

The motion was adopted.

MR DEPUTY SPEAKER: The question is:

"That Clauses 2 to 13, the First Schedule, the Second Schedule, Clause 1, the Enacting Formula and the little stand part of the Bill."

The motion was adopted.

Clases 2 to 13, the First Schedule, the Second Schedule, Clause 1, the Enacting Formula and the Title were added to the Bill.

SHRI PRANAB KUMAR MUKHERJEE: I beg to move:

"That the Bill, to consolidate and amend the law relating to customs duties, as reported by the Select Committee, be passed."

श्री इ. हाक र. भलो (अमरोहा) : डिप्टी स्पीकर साहब, मुझे खुशी हुई कि मिनिस्टर साहब ने जो चीजें, कहीं गई थीं उन के बारे में बायदा किया और उम्मीद दिलाई कि झाइन्दा उस का ध्यान रखा जायगा । मैं सिर्फ इतना कहना चाहता हूँ

[श्री इतहास सभ्यलो]

कि हम चाहते हैं कि सरकार के खजाने में पैसा आये। हम चाहते हैं कि इमपोर्ट के जरिये कोहर से जो फाल हमारे वहां आये उस पर सरकार को पैसा मिले। इसलिये हम फ़ली सपोर्ट करते हैं इस चीज का कि जो आप ने इन चीजों पर बढ़ाया है, इंसेशियल कोमोडिटी चीज को छोड़ कर।

लेकिन मैं जरा आप के डिपार्टमेंट को वकिन्ग के बारे में बताना चाहता हूँ कि जिस वक़्त हिन्दुस्तान और पाकिस्तान से जंग हुई थी हमारे यहाँ की बहादुर फौजों ने बहुत से पाकिस्तानी टैंक जाले और हिन्दुस्तान के एरिथा में ले आये गये। हमारे कस्टम डिपार्टमेंट ने उन पर भी कस्टम लगा दिया। कि वे बाहर से लाए गये। डिफेन्स मिनिस्ट्री को काफी उम सिलमिले में ज़होजहद करनी पड़ी कि ये खरीदे नहीं गये और डम पर किम डंग में कस्टम हम से मागा जा रहा है। काफी लिखा-पढ़ी की गई और काफी हार्ड सेबिन पर यह बात हुई, तब कही जाकर आप के आफिसरों ने उन को कस्टम से मुक्त किया। एक तरफ़ तो आप के एक्जीक्यूशन का आलभ यह है और दूसरी तरफ़ यह बात है जो कि मैं पहले बता चुका हूँ और जिस को मैं दोहराना नहीं चाहता। आप उम खबन इस डिपार्टमेंट में नहीं थे। इसलिए सहरबानी कर के आप अपने डिपार्टमेंट की वकिन्ग को बेहतर बनाइए। हाउम इन चीजों में आप के साथ रहेगा। आप जितना हिन्दुस्तान से बाहर जाने वाली चीजों पर पैसा दिलवा सकेंगे, जो कि हमारे लिए बहुत एग्रीमियल नहीं हैं, उस में पार्लियामेंट आप की मदद करेगी।

[श्री اسحاق سلوٹی (اسرود):]

نہتی ہوئے صاحب۔ مجھے خوشی دوتی کہ منسٹر صاحب نے جو چیزیں کہی گئی تھی ان کے بارے میں راعدا کہا اور اسعد دلائی سے کہ آئندہ اس کا دھیان رکھا جائے گا۔ میں صرف اتنا کہہ چاہتا ہوں کہ ہم چاہتے ہیں کہ سرکار کے خزانے میں پیسہ آئے۔ ہم چاہتے ہیں کہ امیورٹ کے ذریعے باہر سے جو مال ہمارے یہاں آئے اس پر سرکار کو پیسہ ملے۔ اس لئے ہم فلی سچورٹ کرتے ہیں۔ ان چیزوں کا جر آپ نے ان چیزوں پر بڑھایا ہے اسٹیشنل کموڈیٹیز کو چھوڑ کر۔

لہکن میں آپ سے ڈیپارٹمنٹ کی کریشن کے بارے میں بتانا چاہتا ہوں کہ جس وقت ہندوستان اور پاکستان میں جنگ ہوئی تھی۔ سارے یہاں کی بہادر فوجوں نے بہت سے پاکستانی ٹینک چھتے اور ہندوستان کے ایریا میں لے آئے۔ ہمارے کسٹم ڈیپارٹمنٹ نے ان پر بھی کسٹم لگا دیا کہ وہ باہر سے لائے گئے۔ ڈیفنس منسٹری کو کافی اس سلسلے میں جدوجہد کرنی پڑی کہ یہ خریدے نہیں گئے اور اس پر کس دھنگ سے کسٹم ہم سے مانگا جا رہا ہے۔ کافی لکھا پڑھی گئی اور کافی حالی لہول پر یہ

ہلک ہوئی نہ کہیں چاکر آپ کے
 افسروں نے اس کو کسٹم سے مکت
 کیا۔ ایک طرف تو آپ نے ایک جذبہ پیشانی
 کا عالم یہ ہے اور دوسری طرف یہ
 بات ہے جو کہ میں پہلے بنا چکا
 ہوں اور جس کو میں دیکھنا نہیں
 چاہتا۔ آپ اس وقت اس ڈپارٹمنٹ
 میں نہیں تھے۔ اس لئے مہربانی
 کی آپ اپنے ڈپارٹمنٹ کی ورکنگ
 کو بہتر بنائیے۔ ہاؤس ان چیزوں
 میں آپ نے سائنہ دھے گا۔ آپ جتنا
 ہندوستان سے باہر جانے والی چیزوں
 پر پیسہ دلوا سکیں گے، جو کہ
 عمارت لئے بہت اسٹائل نہیں
 ہوں، اس میں پارٹمنٹ آپ کی
 مدد کریگی۔

14 hrs.

SHRI D. D. DESAI (Kaira): While supporting the Bill. I would like to make two suggestions. The Select Committee has gone through the recent tariff nomenclature to facilitate the work of the importing as well as exporting countries, because this is a standard adopted the world over. But, unfortunately, I have still some hesitation in my mind that the customs authority may not appreciate or may not be able to interpret the nomenclature directly or accurately or expeditiously. The reason is that even under

the old tariff, we had a terrific delay at the customs level. Of course, delay in collection of the revenue means that there is a loss. But the goods will be disproportionately higher prices and the use of the goods will be delayed for a longer period sometimes running to months and years. This means when the goods are either to be imported or exported, this should not exceed the time limit. We should put a time limit, some how or the other, I do not know what are the reasons; these are not clear. When the English Language is so clear or at least the meaning of the English Language is well established, I do not know why should there be any difficulty in understanding the nature of the goods and saying yes or no and determining the rate of duty looking to the table.

But, when we adopt the Brussels nomenclature, in the had tariff we have clearly defined the duty figures. Even then, I have a feeling that the hold up of any nature of goods should not exceed a maximum of the free period of clearance that is probably 4-6 days, depending upon the shipping company which provides for the free clearance of the goods, in that case, the department, they should insist on some deposit or some sort of assurances from the importers that the goods will be kept out of the premises. But, at the same time, some liaison will be exercised or some hypothecation will be signed so that the goods might be still open for quantification whatever else they may desire to do. But where the examination does, not provide for any-

[Shri D. D. Desai]

thing other than the well-defined nomenclature and the rate of duty, there should not be any cause for delay.

Regarding the training programme it is all the more important because, daily, new products are being added on account of advance of technology and complexities of our economy. We have gone for more and more items, whether it is pharmaceuticals, whether it is petro-chemicals, whether it is fertilisers or any other item. The daily increase of new products would continuously require additions or alterations or even expansion of categories and duties will have to be fixed. Since the use of a product is ultimately the deciding factor for the purpose of fixing the duty, the "use" of it may be applied as a ground for determining the rate of duty.

Here, for example, the Select Committee has made one statement that in the case of stainless steel coated with 'X' material, the duty has been fixed at this rate. We know, today, it may be also coated with PVC or polyethylene or polypropylene or some other thing. But later on, when the temperatures and pressures will increase, it is bound to be coated with polytetra fluoroethylene and so many such products like fluoro carbons which do take higher temperatures and are useful for our industry. All that is coming. It is already in vogue in many countries of the world. It is not too far when India will have those products. At that time, we would be again having a lot of difficulties at the ports. Therefore, I suggest, whether it is import or export, either way, since we are adopting the Customs Tariff Bill, the training should not only be related to technological aspect but also to the operation of the Customs Tariff Bill, 1975 Schedules and a sense of urgency should be instilled in the operating personnel so that the country's import and export trade does not suffer.

As regards the time-limit, if the hon. Minister agrees that he can issue directives to the Department fixing some time-limit for the clearance of goods, I would be very happy and, I think, that will serve the purpose.

With these words, I support the Bill.

SHRI CHAPALENDU BHATTACHARYYA (Giridih): Mr. Deputy-Speaker, Sir, I would like to take just about two to three minutes on an issue, though not immediately relevant, which has some bearing on the operation of the proposed Bill on goods which we propose to export.

I come from mica industry area. I know it from inside out. So, I will give an illustration of mica. After the post-devaluation period, you imposed 40 per cent duty and you helped the growth of smuggling of Rs. 5 crores worth of mica exports to Nepal. Naturally, since you saw a point of no-return, you reduced the duty. The duty was reduced by 20 per cent on most of the varieties of mica. Some units have been closed down. Now, the varieties of mica which are exported are really processed. They are not manufactured. There is a decision of the Supreme Court as to what is manufactured and what is processed. But nevertheless, on the one hand, you are collecting export duty and you have collected export duty at the rate of about 40 per cent in the last few years, without ploughing back anything into the labour-intensive industry, the entire industry is in disarray and widespread unemployment has occurred because the tax effort was not matched by developmental activities here.

And then, you have now started the excise operation. That, I think, will be double taxation. The result will be that a person who will have to pay Rs. 200 as excise tax, in order to keep his accounts straight under the DIR and Emergency and all that, will have to appoint a clerk by paying him Rs. 300 a month. This will

be very hard upon the small operators and it will be another difficulty. When we are simplifying our export and import procedures, this double taxation as it were—excise as well as export duty—on this labour-intensive industry will make things more and more difficult. I submit to you and also to the Finance Minister to kindly consider the difficulties of this industry. He did a good turn by scrapping export duty on mica powder. But a lot of bungling was there because there was duty on some meshes i.e., 0 to 5 mesh, and no duty on 6 to 10 mesh. So, mica from 0 to 5 mesh was exported abroad through the Customs as mica of 6 to 10 mesh.

Now, we have to make the industry viable, prosperous, and cut down the irritations and get as much as we can out of the tax as revenue. In the case of mica, increased export will increase the export duty as it is. I think there is a valid case of relief in respect of export duty on mica as there is a valid case for export duty on jute, which you have recently done. In the meantime, this double taxation, these irritations may kindly be taken note of and removed as soon as possible.

With these words I support this Bill.

SHRI PRANAB KUMAR MUKHERJEE: Hon'ble Members have made some suggestions about the improvement of the administrative machinery. I do agree with them that there is scope for improvement and there is a constant endeavour to see that this is constantly done.

Regarding training and other things, I would like to assure the Hon'ble Members that as and when it would be necessary to develop trained personnel in the Department for the speedy and expeditious disposal of the material, we would like to do it.

Regarding the fixation of a period or time limit, I have explained the reasons behind it and I hope I need not dwell on it any more.

Regarding the specific industry about which Shri Bhattacharyya spoke, my submission will be that whenever we impose duty either in the form of excise duty or export duty, we do take care of the impact which the duty incidence would have on our production and over our economy; and even after that, if we find that there is some distortion in some respect, we try to rectify it as and when the exigencies demand. But it would not be possible for me to state just at the moment whether the export duty on mica would be treated on par with the export duty on jute and what will be the incidence. All this requires detailed examination and if the Hon'ble Member has any specific suggestion, we may look into it.

MR. DEPUTY-SPEAKER: The question is—

“That the Bill to consolidate and amend the law relating to customs duties, as reported by the Select Committee, be passed”.

The motion was adopted.