

LOK SABHA DEBATES

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LOK SABHA

Friday, October 15, 1982 | Asvina 23, 1904
(Saka)

The Lok Sabha met at Eleven of the Clock.

[MR. DEPUTY SPEAKER *in the Chair*]

ORAL ANSWERS TO QUESTIONS

MR. SPEAKER: At last you are here. Five minutes have passed. Why this daily routine?

PROF. MADHU DANDAVATE: Last night we were sitting upto 10 o'clock.

MR. SPEAKER: That is why, you were recuperating.

PROF. MADHU DANDAVATE: Only those who were present last night, have come today.

Advertisements regarding foreign made Watches

*185. SHRI NAWAL KISHORE SHARMA: Will the Minister of FINANCE be pleased to state:

(a) whether he has very often seen advertisements in various newspapers about foreign-made watches like Seiko, Rado, Casio etc.;

(b) whether it is a fact that there is a ban on the import and sale of foreign-made watches in the country;

(c) whether such advertisements lure the people to purchase foreign-made watches clandestinely;

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(d) the reason for which foreign manufacturers are allowed to advertise their products in Indian newspapers; and

(e) what is the reaction of Government thereto and what steps are being taken in this regard?

THE MINISTER OF FINANCE (SHRI PRANAB MUKHERJEE): (a) to (e) A statement is laid on the Table of the House.

Statement

(a) to (e) Government are aware of advertisements for foreign-made wrist watches appearing from time to time in Indian newspapers. The import of assembled wrist watches as consumer goods into the country is banned under the Import Policy and as such the question of the sale does not normally arise.

Government have enquired into the matter, and the insertion such advertisements in Indian newspapers by foreign manufacturers has not been found to be in contravention of the law.

Inasmuch as these advertisements create an awareness in the country of the various foreign-made watches, such advertisements can have the effect of stimulating, to some extent, the demand for the watches advertised. However, it is a matter of subjective judgment whether they lure the people to purchase the foreign-made watches clandestinely.

Government have been taking steps to increase the indigenous production of wrist watches and to improve their quality with a view to satisfying the consumer demand and reducing the pressures for smuggling of watches. At the same time, the Customs authorities remain vigilant to prevent smuggling of wrist watches into the country.

SHRI NAWAL KISHORE SHARMA :

The statement laid on the Table in answer to my question does not satisfy me and probably will not satisfy anybody. This is a very important question. In this country, the import of watches is banned, as the Minister has admitted. In spite of that ban there are advertisements coming daily in the newspapers and weeklies about foreign made watches. The Minister has said in his statement that the question of sale of such watches does not normally arise. This is a very peculiar statement. What does this 'normally' mean? The Minister has said that such advertisements in Indian newspapers by foreign manufacturers have not been found to be in contravention of the law. In view of the fact that the import of watches is banned and that smuggling goes on, on a large scale, what is the thinking of the Minister about such advertisement which are luring the people to purchase foreign made watches?

SHRI PRANAB MUKHERJEE: I am afraid, the hon. Member has not read very carefully some of these advertisements. In fact, I have brought here some press clippings. So far as these advertisement are concerned, you will find that it is nowhere mentioned. "I will give you a foreign watch." They are creating an image for their products. As far as normal business practice is concerned, everybody is entitled to do it. I have checked up how these advertisements are inserted in the newspapers. They are inserted, either by the advertising agencies or by these big companies through their foreign offices. A normal transaction is taking place and there is no violation of the Foreign Exchange Regulation Act, so far as the advertisement fee is concerned. Then, in the text of the advertisement, nowhere is it being mentioned from which dealer in India you will get the foreign watch. The is just an information which they are providing. In fact, some of the newspapers have said that this is only for information. The advertisement does not say "I am selling it" or "I am disposing of it; it says it is only for information.

How and under what law can I prevent a person from advertising "I am producing

a good article"? Some of these are meant for the tourists who are going abroad. In one advertisement it has been mentioned specifically. If I put a restriction, it must be a reasonable restriction, which must stand the scrutiny of article 19, the fundamental rights of freedom of speech and expression. There is no such law, and there cannot be any law, which can prevent one from advertising in the newspapers "I am producing a very good article" or "very good commodity" and that you can purchase it when you go abroad. The advertisement speaks only of this and it does not talk of importing watches.

But, at the same time, smuggling is taking place and it may be used as a cover. But, definitely, it would not be possible for me to disclose what line of action I will take as a result of these advertisement. If I disclose them, then the whole purpose of investigation and taking action to prevent it would be frustrated.

Therefore, what I mentioned is the general position that it is not possible to stop the advertisement. But sometimes we may get a clue from these advertisements; sometimes we may not get it. But, so far as the advertisement fee is concerned, we have checked it up and found that there is no violation of the Foreign Exchange Regulation Act.

Whether the advertisement is creating, according to the assessment of the hon. Member, a craze for foreign goods and an attempt to get smuggled goods, it is the job of the intelligence people and they will be doing it. It will not be possible for me to go into the details of their activities.

SHRI NAWAL KISHORE SHARMA: While the hon. Minister has tried to explain that there are legal and constitutional difficulties, it is a highly debatable matter. However, it is a fact that there is no law for the present. It may be that some newspapers mention that they are for foreign purchasers. But I have seen some advertisements, where they do not mention it that way; may be, some are mentioning it, as the hon. Minister stated. But the larger question before this House and

before the Minister is this. When the import of certain items is banned, cannot Parliament enact a law whereby such advertisements, for whatever goods they may be, whose imports are banned, are not allowed? I do not think that this may be contravention of the provisions of the law. Therefore, in view of the large-scale smuggling of goods, particularly in the field of watches, especially when the Indian watches can certainly compete with other watches and HMT is doing very well, may I request the hon. Minister to consider this matter in detail and see that this sort of advertisements, for goods the import, of which is banned, are not allowed by passing the necessary enactment by Parliament?

SHRI PRANAB MUKHERJEE: I am afraid, I do not know what I am going to prevent. In the advertisement they are not saying "I am selling foreign watches to you ; purchase it from me or my dealer or from my show-room".

SHRI NAWAL KISHORE SHARMA: It is an allurements to purchase foreign watches and it encourages smuggling, which is banned.

SHRI PRANAB MUKHERJEE: It is a subjective assessment. Therefore, I cannot take any decision on a subjective judgement. Where in the advertisement are they saying "I am selling foreign watches; you purchase it from me"?

श्री राजेन्द्र प्रसाद यादव : अध्यक्ष महोदय सभा पटल पर रखे गए विवरण में मंत्री महोदय ने कहा है; "भारत में उपभोक्ता वस्तुओं के रूप में संयोजित कलाई घड़ियों के आयात पर आयात नीति के तहत पाबन्दी है और इस लिए सानान्यतया उनकी बिक्री का प्रश्न ही नहीं उठता है।" क्या उन्हें इस बात की जानकारी है कि दिल्ली में आम तौर पर और पालिका बाजार में खासकर, जो सरकार का बाजार है,—मुझे नहीं मालूम कि मंत्री महोदय को कभी वहां जाने का मौका मिला है

अध्यक्ष महोदय : आप तो वहां जाते हैं।

श्री राजेन्द्र प्रसाद यादव : मैं जाता रहता हूं। अगर मंत्री महोदय चाहें, तो हम उन्हें भी ले जायेंगे। वहां पर वह देखेंगे कि विदेशी घड़ियों से लेकर टेपरिकार्डर, स्टीरियो, कैमरे आदि विदेशी चीजें खुले आम बिकने के लिए मौजूद हैं। मैं जानना चाहूंगा कि स्मगल किए हुए विदेशी सामान की बिक्री पर पाबन्दी होने के बावजूद ये चीजें एक ऐसी जगह पर खुले आम बिक रही हैं, जहां सरकारी नियंत्रण है, तो क्या मंत्री महोदय इस बारे में जानकारी लेंगे और आवश्यक कार्यवाही करना चाहेंगे।

SHRI PRANAB MUKHERJEE: Sir I am afraid the hon. Member is a little confused. In those markets, the foreign goods are being sold through NCCF. As the hon. Members know, when we confiscate and seize the foreign articles like watches, cameras and calculators, the system is that those goods are disposed of through NCCF and naturally, the NCCF would like to have retail outlets like super Bazar and others. Otherwise is no Government organisation it is possible to dispose of them. For instance, nearly 5 crores worth of watches are confiscated. Rs. 11 crores worth of watches are presently either seized or confiscated and we dispose of them regularly. All the confiscated goods except gold are disposed of through certain channels, mainly through cooperative channels. We dispose of certain articles directly through military and paramilitary organisations. So, I do not know whether he is referring to that so far as Palika Bazar is concerned. But at the same time, I do admit that in certain areas smuggled goods are available because smuggling is taking place. It is not

that I am saying that smuggling has been stopped and that is why we are taking all these preventive measures.

ग्रामीण क्षेत्रों में निर्धनों को उचित मूल्यों पर आवश्यक वस्तुएं सप्लाई करने के लिये दिशा-निर्देश

* 187. श्री मूल चन्द डागा : क्या नागरिक पूर्ति मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या केन्द्र सरकार ने राज्य सरकारों को यह देखने के लिये कोई दिशा-निर्देश जारी किए हैं कि ग्रामीण क्षेत्रों में गरीबी की रेखा से नीचे रहने वाले लोगों को गेहूं, चावल, चीनी, जनता कपड़ा तथा मिट्टी के तेल आदि की उचित मूल्यों पर समय पर सप्लाई हो; और

(ख) यदि हां, तो कब ?

THE DEPUTY MINISTER IN THE MINISTRY OF CIVIL SUPPLIES (SHRI MOHAMMED USMAN ARIF):

(a) and (b). A Statement is placed on the Table of the Sabha.

Statement

The thrust of the public distribution system, as devised by Government, is to see that essential commodities like food-grains, sugar, kerosene, controlled cloth, etc. are made available at reasonable rates to the various sections of the society, particularly its weaker sections. The latter include those who are living below the poverty line in rural areas.

Various steps have been taken to implement the public distribution system, specially in the rural areas. These have been communicated during discussions held between the Central Government and representatives of the State Governments, and also in guidelines sent to the latter from time to time over the last few years.

As per the latest information available, there are about 2.77 lakh fair price shops functioning in the country out of which an overwhelming majority, i.e. about 2.16 lakh fair-price shops, have been opened in the rural areas for selling essential commodities. The New 20-Point Programme seeks to expand the public distribution system through opening of more fair-price shops, and the State Governments have been advised to open new shops particularly in those areas which may have been relatively under-served or unserved by the public distribution system till now. These include rural, hilly and remote areas.

श्री मूल चन्द डागा : अध्यक्ष महोदय कहना चाहिए कि यह एक लाजवाब जवाब है। प्रश्न कहीं है और उत्तर कहीं है। जब की मैं प्रश्न करता हूं, तो मुझे जो जवाब मिलते हैं, वे लाजवाब होते हैं।

अध्यक्ष महोदय : लाजवाब आदमी को लाजवाब उत्तर ही मिलेंगे।

SHRI BHAGWAT JHA AZAD: I wanted to say that you have said it.

श्री मूलचन्द डागा : सवाल के पार्ट (बी) का मंत्री महोदय ने जवाब नहीं दिया है - जो उत्तर चाहिए था, वह मुझे नहीं मिला है। आज हिन्दुस्तान में 48 करोड़ लोग गरीबी की रेखा के नीचे रहते हैं। सरकार ने 2.77 लाख सस्ते दाम की दुकाने खोल रखी हैं। मंत्री महोदय ने कहा है कि आवश्यक वस्तुएं उचित दाम पर वीकर सेक्शनज को दी जा रही हैं। मैं जानना चाहता हूं कि सरकार कुल कितना गेहूं, चावल, शूगर, मिट्टी का तेल और जनता का कपड़ा देती है। क्या सरकार ने कभी यह हिसाब लगाया है कि वह इन दुकानों पर जो चीजें देती हैं, वे गरीबी की रेखा के नीचे रहने वालों सहित सब लोगों को बराबर मिलती हैं ?