

not mentioned in the licence, were noticed in the year 1963, one each at Calcutta, Bombay and Madras ports. The original Customs Clearance Permits issued in all the three cases were subsequently amended by the Iron & Steel Controller to cover the sheets of the sizes imported, but the concerned Collectors of Customs held that these CCPs were not valid and, therefore, confiscated the goods subject to redemption on payment of fines and also imposed penalties in two cases. On appeal, however, the Central Board of Excise & Customs accepted the amended permits issued by the Iron & Steel Controller, remitted penalties and set aside the orders of confiscation.

We are examining the matter with a view to see whether any revision in the procedure regarding amending of customs clearance permits is necessary.

Shri S. M. Banerjee: I rise on a point of order.

We are asking a Question in 1967—today is 30th June, 1967—and he has just read the reply which he had given to Starred Question 214 on 10th November, 1966. He has just read the same thing. I can compare it; I have got it with me. We wanted some more information.

Sarkar Commission to enquire into Steel deals with Private Firms

*357. **Shri Kameshwar Singh:**
Shri A. B. Vajpayee:
Shri Yajna Datt Sharma:
Shri S. S. Kothari:

Will the Minister of **Steel, Mines and Metals** be pleased to state:

(a) whether the Sarkar Commission appointed to probe into the steel deals with private firms, as per recommendations of the Public Accounts Committee, has started its work; and

(b) if so, whether it is a fact that the Committee is not being supplied with the relevant files and many of the important files are missing?

The Minister of Steel, Mines and Metals (Dr. Chenna Reddy): (a) The Committee was constituted on the 12th September, 1966 and commenced work from that date.

(b) The relevant files are being supplied from time to time from various sources, viz. offices, such as Ministry of Iron & Steel, Iron & Steel Controller and the Hindustan Steel Ltd. There has been some delay because the files relate to a period several years before. No file as yet required by the Committee is stated to be missing.

Shri S. M. Banerjee: From the Starred Question 214 of 10th November, 1966 and the reply which he read, I find a specific question was asked by my friend, Shri Madhu Limaye, as to whether the S.P.E. had carried out an investigation into this violation and the reply was; "No, Sir" I would like to know, in view of the observations made by the Ministry of Law into the shady deal, whether a situation has now arisen that the hon. Minister will give this case to the S.P.E. for further investigation because in this deal the Cabinet Ministers are involved.

Dr. Chenna Reddy: As the honourable House is aware, this matter is being enquired into by the Sarkar Enquiry Committee and, therefore, no other steps have been taken. In fact, I had an informal discussion with the hon. Members, including Shri Madhu Limaye and others, and it was found that, if necessary, the Sarkar Enquiry Committee will point out all the cases that are to be referred to the S.P.E., and perhaps this also may be one which we want to leave to the discretion of the Sarkar Enquiry Committee.

Shri S. M. Banerjee: I would like to know whether the terms of reference of the Sarkar Committee includes in getting evidence from the ex-Cabinet Minister or the present Cabinet Minister, if they were involved in this, and whether the Committee will have the right to cross-examine

the hon. Minister, and secondly, whether, till such time, quotas will not be issued to this firm

Dr. Chenna Reddy: Regarding the question of jurisdiction of this Committee and the right of calling for the evidence of the Cabinet Minister, I do not think that there is anything that would come in the way of the Sarkar Committee, if they consider it necessary

Regarding the other question of issuing permits, I have to submit that, as I have stated earlier, the High Court of Calcutta has been approached and a stay order has been issued

की जांच करने की प्रथा महोदय, कोन नियमों के आधार पर कलेक्टर आफ कस्टम ने यह जो कस्टम बर्न अपरेंट परमिट दिया था उनको गैर कानूनी नय किया ? जब अपील करने में था गया बाद में जिस किमी भी मिनिस्टर ने हस्तक्षेप किया होगा, वह उस वक़्त पहले अपील को बदलने के वक़्त कौन सा नियमों को बोर्ड ने अपील सापने रखा ?

ड० चेंना रेड्डी अध्यक्ष महोदय, इनमें कमी मन्त्री महोदय के हस्तक्षेप का तवाल नहीं है। गवर्नर के कलेक्टर ने यह समझा कि इस में पहले जो परमिट दिए गए, उनमें प्रमोबमेंट देना मना किया था उचित नहीं होगा मगर जब रेवन्यू बोर्ड को अपील किया गया था उन्होंने सा मिनिस्ट्री की सलाह की और सा मिनिस्ट्री की सलाह के अनुसार यह समझा गया कि जिस एपारटो को लाइसेंस देने के अधिकार है उसी को प्रमोबमेंट करने का भी अधिकार है और उस निहाय रेवन्यू बोर्ड ने सा मिनिस्ट्री के क्लर्क ने यह किया।

Shri S. S. Kothari: I notice that, in many matters, when the investigation is pending, files get lost, and with regard to many reports, there leakage of the contents. What steps are Government taking to ensure that the files do not get lost and such leakages do not take place? What security measures are being

taken? Besides, this what action is being taken against the officials concerned who are responsible for the maintenance of those files?

Dr. Chenna Reddy: I have just now said that, in this case, no file that is required by the committee, has been stated to be missing. Therefore, the general observations made by the hon. Member will only relate to a very general type

Shri R. Barua: From the statement furnished I find that it is the same answer given to a question put sometime in November, 1966. I do not know what is his answer to the present question. Anyway, assuming that this is the correct position, I want to know how the Iron and Steel Controller could rectify an illegal thing by issuing an amendment. Was it not brought to the notice of the then Minister or had he the power under the law to do it himself?

Dr. Chenna Reddy: As I have just now mentioned, the authority which has a right to issue the licence is considered by the Law Ministry as also having the right to amend it and therefore, the amendment was considered to be legal. Therefore, the Revenue Board to whom this party had made the appeal against the action taken by the Collector of Customs, held it good. The question of this matter coming to the Minister did not arise.

Shri S. K. Sambandhan: The issuing authority has the right to amend the permit issued only before import. Here the permit has been amended after the goods imported had come into the harbour and had gone to the customs authorities. It is nowhere stated in any law of any country that such an amendment can be made. Under what authority, under what law, has Law Ministry stated that the issuing authority has got the power to amend it after the import of goods?

Dr. Chenna Reddy: Firstly, the interpretation of the board has been up-

held by the Law Ministry, and secondly the authority to revise is also considered in the context of *bona fides* and *mala fides* and it has been stated that the Iron and Steel Controller had satisfied himself as to the *bona fides* of the case, and the revenue authority should treat the CCP so amended as valid *ab initio*.

Shri S. K. Sambandhan: Generally, the goods are confiscated if they are not found in the licence.

श्री द्वा० नाथ तिवारी : हमारे माननीय इस्पात मन्त्री जी का व्यवहार भी इस्पात के समान है। अर्मी चन्द प्यारेलाल का प्रश्न बार बार हाउस के सामने आ चुका है, मन्त्री जी के साथ इस्पात जैसा व्यवहार न करके, अर्मीचन्द प्यारेलाल के साथ इस्पात जैसा व्यवहार क्यों नहीं करते हैं तथा ऐसे स्टेप्स क्यों नहीं लेते हैं कि हाउस भी सटिस्फाइड हो और वे भी कोई गड़बड़ी न कर सकें ?

डा० चन्ना रेड्डी : जैसा मैंने पहले कहा है कि इस मामले को सरकार एन्क्वायरी कमेटी के सुपुर्द किया गया है, एन्क्वायरी हो रही है। इसके अलावा और कोई स्टेप लेने की या तो आवश्यकता नहीं है या मुश्किल भी है। एन्क्वायरी कमेटी के सामने जो काम है, उसको जल्द पूरा कराने के लिये पूरे स्टेप लिये जा रहे हैं।

श्री कामेश्वर सिंह : जो जरूरी कागजात सरकार कमेटी को नहीं मिल पाये थे, व उनको अभी तक मिले हैं या नहीं, अगर फाइलों में कोई गड़बड़ी हुई है तो क्यों हुई है ?

डा० चन्ना रेड्डी : जिन फाइलों की सरकार एन्क्वायरी कमेटी को जरूरत है, वह उनको पहुंचाई जा रही है, इसमें कागजात के मिस होने का कोई सबाल नहीं है।

श्री कामेश्वर सिंह : कुछ जरूरी फाइलें-

जिन से लोगों को बहुत घाटा होगा, उनको हटा दिया गया है और सरकार कमेटी को वे फाइलें नहीं दी गई हैं ?

डा० चन्ना रेड्डी : इस किस्म की कोई बात मिनिस्ट्री के सामने नहीं आई है। यदि आपके पास ऐसी कोई बात हो तो मुझे भुज दें, मैं विचार करूंगा।

Shri Hem Barua: In view of the fact that there are serious allegations of involvement in shady deals against this firm called Aminchand Pyarelals and there have been persistent demands on the floor of this House to blacklist this firm, may I know the basic reasons why Government considered it proper to liberalize their attitude towards this firm as evidenced in this particular deal?

An hon. Member: Donations.

Dr. Chenna Reddy: The attitude towards this firm is not liberalised, but as far as the question of putting it in the black list and stopping business with it is concerned, they have approached the Calcutta High Court, and the Calcutta High Court has issued a stay order.

Shortage of Cycle Tyres and Tubes

*845. **Shri R. S. Vidyarthi:** Will the Minister of Industrial Development and Company Affairs be pleased to state:

(a) whether Government's attention has been drawn to the fact that there is a great scarcity of popular brands of cycle tyres and tubes in the market while large stocks are available in the black-market in Delhi; and

(b) if so, the reasons therefor, and the steps taken to prevent such anti-social activities in the matter?

The Deputy Minister in the Ministry of Industrial Development and Company Affairs (Shri Bhanu Pra-