

**SHRI S. R. DAMANI:** May I know from the honourable Minister to what extent the depositors amounts are being used for productive purposes and also I would like to know whether it is less costlier than the bank finances?

**SHRI PRANAB KUMAR MUKHERJEE:** It would be difficult for me to exactly quantify. In the text of the main answer I have already indicated that we have taken measures to reduce it. At the same time we see that the production process is not disrupted and there is no denial of the fact that it contributes to the production process of the country.

**SHRI C. K. CHANDRAPAN:** In view of the fact that Government has enforced measures to curb credit to anybody for that matter from the bank may I know whether it is not an attempt by big companies to sottle the credit policy of the Government by way of offering bigger interests and attracting money from the public and then using it for making more profits by way of speculation. Taking that into account, would Government come forward with immediate measures so that this kind of step will be prevented?

**SHRI PRANAB KUMAR MUKHERJEE:** Already I have indicated that so far as the diluting effect on selective credit policy is concerned, there is no danger because certain limitations are there on the mobilisation of deposits. They cannot go beyond 25 per cent of paid-up capital etc. Certain conditions are there. They have to comply with the directives of the RBI issued from time to time. They have to explain their financial position in advertisements to those people who make deposits and they take the risk. Some risk element is there and that also is contributing as discouragement in the matter of deposits in these non-banking companies. So, the selective credit policy pursued by Government is not frustrated as a result of this, because when we fix the limit for

the companies concerned, we take into account the money realised by them by these methods.

**फर्मों और व्यक्तियों पर आयकर को बकाया राशि**

\* 144. श्री शंकर दयाल सिंह : क्या बिस् मंत्री यह बताने की कृपा करेंगे कि :

(क) देश में ऐसे कौन-कौन से व्यक्ति अथवा फर्म हैं जिन पर आयकर की 50 लाख रुपये से अधिक की राशि बकाया है ;

(ख) उन में से प्रत्येक पर आयकर की कितनी-कितनी राशि बकाया है और

(ग) सरकार का उक्त राशि वसूल करने के लिये क्या कार्यवाही करने का विचार है ?

**THE MINISTER OF STATE IN-CHARGE OF THE DEPARTMENT OF REVENUE AND BANKING (SHRI PRANAB KUMAR MUKHERJEE):** (a) and (b). The effort involved in collecting the information asked for may not be commensurate with the results likely to be achieved. However if the Hon'ble Member wants to have information regarding income-tax arrears outstanding against any particular person or firm, the same can be collected and furnished.

(c) Such of the steps provided in the Income-tax Act, 1961, as are appropriate to the circumstances of each case, are taken for effecting recovery of outstanding arrears.

श्री शंकर दयाल सिंह : अध्यक्ष महोदय, प्रश्न का उत्तर तो आया नहीं है इसलिए अनुसूचक में क्या पृष्ठ समझ नहीं पाता, लेकिन जानना चाहता हूँ कि क्या ऐसे व्यक्तियों में कुछ ऐसे भी हैं जिन्होंने म्बेच्छा से काले धन का एनाउसमेंट किया और दूसरे यह जानना चाहता हूँ कि सरकार क्या कोई समय सीमा निर्धारित करेगी कि कब तक

इन से इनकम टैक्स के बकाये की बसुली हो जायेगी

**SHRI PRANAB KUMAR MUKHERJEE:** So far as arrears are concerned, we have answered many questions on the floor of this House and the other House. We have replied that various steps have been taken. There was also the amendment of the Income-tax Act in the last session. Various measures are taken to reduce arrears. But one thing would have to be kept in mind that in the accounting process of the department, there would be certain arrears at the end of 31st March every year. This is because of the fact that assessments completed in the months of January, February and March may not fall due by 31st March. Sometimes the amount assessed is being challenged in the court. Therefore when we indicate the gross amount outstanding on 31st March, that does not reflect the actual net amount outstanding. That is why sometime we give the net figure and the gross figure. But it would be very difficult for me to indicate by what time all arrears would be wiped out.

श्री शंकर बयाल सिंह : अध्यक्ष महोदय, श्री भी वित्त मंत्रालय ने अपनी उदायता का परिचय देते हुए जितने भी इनकम टैक्स के अधिकारी थे उनको एक एक महीने का अतिरिक्त वेतन दिया है, मैं जानना चाहता हूँ कि जिन इनकम टैक्स अधिकारियों ने अपने जूरिस्ट्रिक्शन में ऐसे लोगों से इनकम टैक्स के धन को बसूल नहीं किया है उनको क्या किसी तरह का पैनलशमेंट दिया जायगा या उनको भी रिवाइंड दिया जायगा ?

**MR. SPEAKER:** Those who have not realised the arrears will they be rewarded or punished?

**SHRI PRANAB KUMAR MUKHERJEE:** The hon. Member should not come to the conclusion that they are not realising it. In fact during last year they realized more than the bud-

get estimate. This was of the order of Rs. 170 to Rs. 175 crores.

**SHRI N. K. P. SALVE:** There is the report of the Public Accounts Committee saying that one of the main reasons why arrears of income-tax stands so unduly bloated is on account of the tendency of the income tax officers to over-fix assessments, to work for fancy assessments, and in respect of incomes which are never earned by assesseees and, therefore, really, the income-tax arrears does not arise.

The malaise seems to continue. If it is so, may I know from the hon. Minister of Banking and Revenue whether litigation continue or they happen to be passed on to the assesseees because of over-pitched assessments for which the assesseees have to fight the litigations and, if it is so, whether before the Tribunals and the courts reliefs may be given; what steps are being taken to ensure that the Income tax Officers who so unduly overpitch the assessments and make fancy assessments which is also the cause of corruption in the Department, are taken to task? Would they consider awarding costs to the assesseees at the Tribunal level to avoid such overpitched assessments of this sort?

**SHRI PRANAB KUMAR MUKHERJEE:** Sir, perhaps it is too strong a suggestion because the Income-tax Officer makes the assessment in the best of his wisdom and if we say that the costs to the assesseees for getting the relief are to be passed on to them perhaps, it is too strong a suggestion and I am afraid I cannot accept this. (Interruptions)

**SHRI N. K. P. SALVE:** No, no. Costs are to be paid by Government and not by the officers.

**SHRI H. N. MUKERJEE:** In view of the fact that the number of persons or firms against whom the

arrears of tax amounting to more than rupees fifty lakhs are outstanding cannot be very large and they are the big firms about whom the Income-tax Department should take a very special interest, may I know how it is that Government now says that it would be incommensurate with the labour involved to bring out their names—the names of those persons and firms against whom the arrears are outstanding to that extent ought to be publicised, particularly, in view of the recent Government's policy in this regard?

**SHRI PRANAB KUMAR MUKHERJEE:** What I say is that we shall have to collect the information from various stations—we have 20 Income tax stations apart from four centralised charges—and we maintain some dossiers of the big assesseees. If we want to give you that information, it will take some time. Apart from that, if I remember correctly, it is more than 100. The number against whom the amount outstanding is Rs. 50,00,000 and above is not insignificant. It may be more than 100. That is why I say that if the hon. Member was interested to have information about any particular firm or any particular individual, we shall try to collect it since we do not have that information. We are not feeling shy of giving this information. (*Interruptions*).

**SHRI H. N. MUKERJEE:** You lay it on the table of the House later on. How am I supposed to know about X firm or Y individual. I am not concerned with the individuals but I am concerned with the total position. Let the Minister come forward and tell the House. You lay it on the table of the House on your own and do not ask the Member concerned to find out X individual or Y firm. How do I know who is the guilty person?

**MR. SPEAKER:** This is a suggestion which you can consider.

**SHRI VASANT SATHE:** In view of the fact that the total number of assesseees whose income above Rs. 1,00,000 is less than 20,000 out of a total of 38 lakhs assesseees in the country—as you yourself have said that those against whom the outstanding above rupees fifty lakhs are less than hundred, approximately it may be hundred or it may be more than 100, that is, between hundred and two hundred or three hundred or whatever it may be—I would like to know what is the difficulty in giving the names? If there are genuine difficulties in giving the names it is all right. Would you at least let us know the number of assesseees? Unless he can explain this to your satisfaction and not to my satisfaction, what is the objection that he has in giving the names of the firms and individuals against whom the arrears are over Rs. 50 lakhs. We are not satisfied with the answer that it is not commensurate with labour. Why is it not in the interest of the State to give the names. Let us at least know this, unless of course you disallow this question, since the number is very very short. Let us have the total amount of arrears outstanding against these firms. How many such assesseees are there? And also in what slab do they fall?

**SHRI PRANAB KUMAR MUKHERJEE:** Sir, even of those above Rs. 10 lakhs their number is 800. Sir, here I would like to be guided by your advice because this is not the first time that we are confronted with this type of question. Earlier we were faced with the question regarding list of shareholders of each company whose houses have been raided. Sir, it takes a lot of time. If we are to give the information against each as to what was the amount outstanding, etc., it will take a good deal of time. Sir, I depend on your guidance. Whatever you will direct, we will do.

**SHRI VASANT SATHE:** Sir, what is the answer that he has given? I asked him about 50 lakhs and above.

**SHRI PRANAB KUMAR MUKHERJEE:** Their number is more than 100.

**SHRI R. S. PANDEY:** Sir, taking into consideration that thousands of cases have been pending and not finalised for the last 10, 15 or 20 years, may I know whether the Government is thinking seriously to devise certain methods by which agreement could be reached and money realised? They have assessed but somehow they have not come to any agreement. Now, a particular person has been assessed for Rs. 1 crore. It may be that he has assets or does not have assets. There are such cases which have not been finalised.

**SHRI PRANAB KUMAR MUKHERJEE:** Sir, there is no doubt about it that the procedure itself is time consuming. But, I think, the House and the hon. Member is aware that one of the devices which the Select Committee suggested to us and which we have incorporated in the Amending Act is about the Settlement Commission. Perhaps the device which the hon. Member has in mind to some extent

First 1—2 looms	Rs. 50/- per loom per annum.
Next 3—4 looms	Rs. 100/- per loom per annum.
Next 5—49 looms	Rs. 200/- per loom per annum.

**SHRI DHAMANKAR:** Sir, although the decision is very late and there has been a lot of evasion yet I am very thankful to the Commerce Ministry for having taken a decision in regard to unauthorised looms. There has been evasion to the tune of lakhs of rupees. I want to know whether this levy of Rs. 400 per loom is an annual levy or is it for getting the powerloom authorised and whether after paying Rs. 400 the looms will get permits from the Textile Commissioner?

**SHRI VISHWANATH PRATAP SINGH:** They will not get permits.

**SHRI DHAMANKAR:** Sir, the powerlooms are under the dual con-

could be met by Settlement Commission.

#### Unauthorised Powerlooms

\*145. **SHRI DHAMANKAR:** Will the Minister of COMMERCE be pleased to state:

(a) whether any assessment has been made of the unauthorised powerlooms operating in the country;

(b) if so, their numbers, State-wise; and

(c) whether any penal action is proposed to be taken against such unauthorised powerlooms without adversely affecting the employment of the poor in the present context of rural economy?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH): (a) and (b). No reliable estimate of unauthorised powerlooms is available.

(c) A penal compounded levy at the rate of Rs. 400 per loom is leviable as against normal levy as under:—

trol of Finance and Commerce Ministries. Since the levy has been increased from Rs. 50/- to Rs. 400/- per loom and also because there is rampant corruption, I would like to know what concrete and drastic steps the Government proposed to take to avoid evasion and collect fully the penal levy?

**SHRI VISHWANATH PRATAP SINGH:** Much of the enforcement also depends on the various States where the unauthorised mills are situated. We have requested the States to tighten up their steps. Also wherever cases are brought to our notice, we take the fullest action under the law.