

उपसभाध्यक्ष (श्री सनातन बिसि) : आप लोग बैठिए, तब मैं बोलूंगा ना.....(व्यवधान) आप लोग नहीं बैठेंगे तो मैं कैसे बोलूंगा(व्यवधान) आप लोग नहीं बैठेंगे तो मैं कैसे बोलूंगा(व्यवधान)

श्री नरेश यादव : आपके आदेश से हम तो बैठे रहते हैं(व्यवधान)

उपसभाध्यक्ष (श्री सनातन बिसि) : मैं बोल रहा हूं ना बैठिए।

श्री नरेश यादव : मैं सरकार का ध्यान इस ओर आकर्षित करना चाहता हूं कि बाढ़ पीड़ितों की सहायता करना करना का कर्तव्य है, धर्म है और इसलिए सरकार की ओर से अगर जवाब आ जाए तो सरकार का क्या जाता है? हम लोग सुबह से चिल्ला रहे हैं(व्यवधान)

उपसभाध्यक्ष (श्री सनातन बिसि) : आप लोग बैठिए, तब बोलूंगा ना मैं आपको(व्यवधान)

श्री नरेश यादव : हम लोग सुबह से चिल्ला रहे हैं लेकिन सरकार कोई ध्यान नहीं दे रही है। इसका मतलब है कि सरकार को बिहार के बाढ़ पीड़ितों से, केरल के बाढ़ पीड़ितों से, पश्चिम-बंगाल के बाढ़ पीड़ितों से, उत्तर प्रदेश के बाढ़ पीड़ितों से कोई मतलब नहीं है। इससे जनता बहुत परेशान है। भारत सरकार की निष्क्रियता के चलते और केरल, उत्तर प्रदेश, पश्चिम बंगाल और बिहार के बाढ़ पीड़ितों की उपेक्षा के चलते हम आर.जे.डी. के सभी सभा सदस्य से वाक आउट करते हैं। बिहार के सभी साथी वाक आउट करते हैं।

(इसके पश्चात् कुछ माननीय सदस्य सदन से बाहर चले गए)

THE VICE-CHAIRMAN (MISS SAROJ KHAPARDE) IN THE CHAIR.

Revenue Loss Following Introduction of E.D.I. Scheme

SHRI SATISH CHANDRA SITARAM PRADHAN (MAHARASHTRA): Respected Vice-Chairman, Sir, I wish to submit through you to the Finance Minister the various anomalies that have resulted in the loss of more than Rs. 50,000 crores to the Government of India because of various flows in the export policies and the differences between the Commerce Ministry and the Finance Ministry in the interpretation of laws which has enabled

unscrupulous businessmen to misuse these schemes and enabled evasion of rightful duty to be paid to the exchequer. It is also learnt through newspaper reports that the following schemes, namely, the Duty Exemption Entitlement Certificate Scheme (DEEC), the Value Based Advanced License Scheme (VBAL) and the Quantity Based Advanced Scheme introduced for enhancing our exports and foreign exchange have, in fact, become a tool to unscrupulous elements vis-a-vis genuine exporters to receive laundered, evaded narco money thereby helping the hawala racketeering trade to grow. I am very much sure that the House would also be astonished to know that the *modus operandi* which is being used to evade this income and the rightful duty to be paid to the exchequer is a common knowledge both to the enforcing authorities as well as to the traders involved in this trade. In addition to this, it is also learnt through reliable sources that the Department of Finance is trying to update the records of its department, specially that of the enforcing agencies from the existing Sperry Spool Computer System with a new E.D.I. system which, according to specialists in the field, have noticed some major flaws. Some of them are: (a) that the concept of the new system is lost as the data is not being stored centrally but at 29 different sites; (b) that the transmission of data is through a line which is slow and unreliable; (c) that they would be enhancing a disk-operated-system (DOS) which is actually outdated; and (d) that while switching from the existing system to the new system, the data transferring is not being monitored properly by vested interests in the department such that defaulters and pending cases data can be easily deleted thereby giving them a clean chit. Under these circumstances, I would like to know from the Minister—(1) How many cases of fraud and default have been deleted specially with reference to DEEC, VBAL and QBAL schemes, (a) What is the total quantum of revenue actually involved in these frauds?

(b) What is the total Quantum of Revenue, actually recovered, and what amount is yet to be recovered?

(c) What are the reasons for non-recovery, if there are amount yet to be recovered?

2. Has/have any official's, who have connived/abetted in the above mentioned frauds, have been Convicted/prosecuted till date?

(a) If so, how many of them? And what actions have been taken against them? (details of the same may be provided).

(b) What action has been taken against the erring parties involved in frauds of various schemes till date?

3. With regard to the new EDI System—

(a) Is it true, that after introducing this new system all the post data, including VABAL/QABAL/DEEC cases will not be available, hence destroying the evidence?

(b) What measures have been taken to retrieve and store such data of various Customs Houses having old Sperry System, which is being phased out?

(c) Which Ports/Customs Houses are being provided the new EDI System, and where Old Sperry System shall be further used?

Misuse of Land Acquisition Act

SHRI JOHN. F. FERNANDES (Goa):
Madam, my Special Metnion had been pending since 21st July. I am happy that you have called my name.

We have many Acts on the statute and most of them are obsolete. They belong to the colonial past. One of them is the Land Acquisition Act of 1894. It was enacted by the Britishers for acquiring land forcibly from the Indians because it was an alien regime. This Act is still on the statute in the same form. It is being misused day-in-and-day-out. Though this is a Central Act, it also empowers the State Governments. The appropriate

Government here is the State Government and the Central Government. It is being misused for extortion because the politicians and the Ministers want to usurp prime land belonging to private parties. In case the land is not surrendered to them or to their cronies or to real estate touts, who are often their relations and most probably their sons, they are threatened that their land will be acquired. They have to sell it because if you acquire land you pay Rs. 100 or Rs. 180 and the market price of the land is in thousands and thousands of rupees. So, this is used as an instrument of blackmailing and extortion. So, I want the hon. Minister to bring it to the notice of the Government. This old and obsolete Land Acquisition Act should be amended and a new Bill should be brought before the Parliament for enactment.

Now, under clause 3, powers have been given to the Collector or the Deputy Collector, who are employees under the Government. They are bureaucrats. The Government should appoint a tribunal which is headed by a judge so that justice is meted out properly. I have taken interest in raising this matter because there is a multi-crore mega scam in my State. Now, there are 55 clauses in this Act. But there is no provision which says that in lieu of the land acquired, Government land should be given. The Government has to pay compensation or an amount, but not the market price. Then you go to the court and you dispute and get into litigation. There is no provision. But there is clause 55, the last clause, which says:

"The appropriate Government shall have power to make rules consistent with this Act for the guidance of the officer in this matter".

That means giving directions to the Collector or the Deputy Collector or the Commissioner about the procedure that is to be followed. No structure of this Act can be changed. Now, certain unscrupulous elements went and