

further reported that nine foreign banks have paid a penalty of Rs. 128.20 crores. Other action including withdrawal of exemption granted from maintaining incremental Cash Reserve Ratio (CRR) and not allowing repatriation of profits etc. were also taken by RBI against foreign banks operating in the country.

**Amendment to Benami Transaction (Prohibition) Act, 1988**

233. SHRI C. P. THIRUNAVUKKARASU: Will the Minister of FINANCE be pleased to state:

(a) whether Government propose to enact amendment in the "Benami Transaction (Prohibition) Act, 1988" to give more power;

(b) if so, the details thereof;

(c) whether it is a fact that since passing of the Act, rules have not been notified; and

(d) if so, the reasons for not notifying the rules?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI GINGEE N. RAMACHANDRAN): (a) and (b) The Government is considering in consultation with the Ministry of Law changes in the Benami Transaction (Prohibition) Act, 1988 to make it implementable. No decision has yet been taken on the nature of amendments in law in this regard.

(c) and (d) Yes Sir. These rules could not be notified as the Benami Transaction (Prohibition) Act, 1988 since its inception, ran into implementation difficulties. The Ministry of Law pointed out serious legal infirmities in the enactment causing difficulties in the framing of the Rules.

**Setting up of an Investigation Bureau for economic crime**

234. SHRI C. P. THIRUNAVUKKARASU: Will the Minister of FINANCE be pleased to state:

(a) whether Expert Committee has suggested setting up of a separate Investigation Bureau and a Special Court to investigate and try bank and financial frauds;

(b) if so, the reaction of the Government thereto;

(c) what are the other suggestions made by the Committee to deal with financial irregularities; and

(d) the measures proposed to be taken on the recommendations?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI BALASAHEB VIKHE PATIL): (a) to (d) Reserve Bank of India (RBI) had set up an Expert Committee on Legal Aspects of Bank Frauds in August 2000. The Committee had submitted its report on 31st August 2001, *inter alia*, recommending setting up of a separate Investigation Bureau and a Special Court to investigate and try bank and financial frauds. The Committee has also made suggestions to minimise the incidence of financial frauds and to deal firmly with such incidents, development of best practice code for officers and staff of banks, legal compliance audit, liability of auditors, system for sharing of credit information etc. The Committee has also suggested few legislative changes to deal with serious financial frauds. The recommendations of the Committee are being examined by RBI.

#### Non-Banking Financial Companies

235. MISS MABEL REBELLO: Will the Minister of FINANCE be pleased to state:

(a) whether it is a fact that a large number of non-banking financial companies who raised money from the public are not returning the money to the public, despite Government's directives to the effect;

(b) if so, names of such erring companies; and

(c) in what manner Government propose to assure that the public get their deposits back with the promised interests?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI BALASAHEB VIKHE PATIL): (a) and (b) The information is being collected and, to the extent available, will be laid on the Table of the House.

(c) Comprehensive regulatory framework has been put in place which is aimed at protecting the interests of the depositors and ensuring that NBFCs function on sound and healthy lines. The regulatory framework includes, *inter alia*, compulsory registration, maintenance of liquid assets, transfer of at least 20% of net profit to reserve fund and empowering RBI to issue directions to NBFCs. RBI takes various actions against errant NBFCs for various defaults and contravention of provisions of RBI Act and directions issued thereunder. Government has introduced Financial Companies Regulation Bill, 2000 in the Lok Sabha on 13th December, 2000. The Bill has been referred to Standing Committee on Finance by the Hon'ble Speaker, Lok Sabha.

#### Revival Plan for Core Sector

236. SHRI RUMANDLA RAMACHANDRAIAH: Will the Minister of FINANCE be pleased to state: