

1933 and meant to regulate the people who can enter the State and go out. And this was reformed by a Notification in 1970, which has made the Deputy Commissioner all powerfull without there being any rules to determine how he should conduct his office. Here is a case where an official, a bureaucrat is being given so much of power and yet no rules to tell him how far he can go and how far he cannot go.

The reports that I have suggested that the Deputy Commissioner is functioning in a very autocratic and arbitrary manner as bureaucrats are prone to do harm when they are not regulated and checked. So, the Central Government's policy is at fault obviously. It has kept all of us in the dark. The parliament has hardly any idea of Mizoram and hardly any idea of any of the hill States. If the Central Government had its way, it would probably keep us in dark about Haryana and Uttar Pradesh as well. But their proximity to Delhi happens to be one factor which has not made this possible. (*Time bell rings*). But the fact is that hardly any Member of Parliament knows what exactly is going on. Both the reports are there. The insurgency reports are there. The atrocities reports are there. At the same time, those who have been there do admit that there has been hardly any economic development in this area. Firstly, I would like to know the truth of this. Secondly, I would suggest to the Government to approach this problem in a balanced way and appoint a parliamentary committee so that they can look at the problems of the eastern region, secure some knowledge and be in a position to place before Parliament the factual situation in that sensitive area of India.

**I. STATUTORY RESOLUTION SEEKING
DISAPPROVAL OF THE MAINTEN-
ANCE OF INTERNAL SECURITY
(AMENDMENT) ORDINANCE, 1974
(NO. 11 OF 1974—contd.)**

**II. THE CONSERVATION OF FOREIGN
EXCHANGE AND PREVENTION OF
SMUGGLING ACTIVITIES BILL,
1974—contd.**

MR. DEPUTY CHAIRMAN : Sardar Amjad Ali. He will start the discussion

SHRI SARDAR AMJAD ALI (West Bengal) : Mr. Deputy Chairman, Sir, I rise to support this Bill. I was listening to the debate with regard to this Bill yesterday. Some of the opposition Members tried to dub this Bill as a political camouflage. Hon. Dr. Kurjan said

this. Some friends from the opposite side had an apprehension that after having got the power under this Act, the Government might start some onslaught upon the opposition and the political parties. If I remember correctly, this Bill has been dubbed in the other House as one of the black Bills like the Preventive Detention Act and the Maintenance of Internal Security Act. Sir, I do not agree with them. This particular Bill was perhaps long overdue and should have been brought forward by the Government of India earlier when the report of the Kaul Committee was with the Finance Ministry. It has been significantly pointed out in this House and the other House as to how the foreign exchange of this country is being drained out. Although it is a late measure, it is definitely a welcome measure and I whole-heartedly support every provision of this Bill. I congratulate the hon. Minister and the Government of India for coming to this august House with this particular Bill.

Sir, the country is facing a serious economic crisis. The threat of balance of trade is looming large upon the whole nation and the Finance Ministry is making very strenuous efforts in order to see as to how the balance of trade can be maintained and as to how the foreign exchange of this country can be preserved. Sir, certain citizens of this country are involved in a very wide-net racket and causing grave injury to the whole of our national economy by draining out foreign exchange which is very vital for our economy and which is needed every now and then not only to boost the economy, but also to maintain the economy.

Sir, perhaps it is the apprehension of the opposition Members that the powers derived from this particular Bill when it becomes an Act will be utilised against the opposition. Such an argument cannot be entertained. Yes, Mr. Chinai

SHRI BABUBHAI M. CHINAI (Maharashtra) : Why do you say 'perhaps'. It has already been used. Mr. Vajpayee was arrested under MISA.

SHRI SARDAR AMJAD ALI : I am not speaking about MISA. I am speaking about this Bill.

SHRI BABUBHAI M. CHINAI : This Bill is MISA.

SHRI SARDAR AMJAD ALI : If you will kindly go through the Bill you will see

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that the maintenance of Internal Security (Amendment) Ordinance will be repealed when it becomes an Act. There has always been apprehension in the minds of the opposition parties in this country. The opposition parties clamour that corruption has to be weeded out. They make an uproar in this House and also outside Parliament that those who are involved in smuggling, in blackmarketing will have to be tackled in a very rude way. It is ridiculous and it is really strange that when some measure is sponsored by the Government they speak in a different voice. I do not know how the spectre is looming large on them that the only purpose of the Government of India is to strangle the voice of the opposition by utilising these powers against them. I do not know how many cases have been there. As my friend, Mr. Babubhai Chinai, is saying, if the Maintenance of Internal Security Act has been utilised against any political rival, against any opposition political party, then definitely it has to be condemned. At the same time, if, in the name of a political right or in the name of a political party, any person of this country wants to create an atmosphere in which the rights and liberties of the people at large are affected, probably and perhaps very rightly it is the duty of any Government, whether it is the State Government or the Government of India, to curtail that sort of activity and put that person behind prison bars. It is a welcome measure. If any particular individual—no question whether he belongs to the opposition party or to the ruling party—creates a complicated situation, than in order to meet that particular situation and to see that law and order in that particular locality or area is safe, is not hampered or jeopardised, the long arm of the law will have to be extended to him. Mr. Deputy Chairman, Sir, I am no less a respecter of the citizen's free rights and liberties as enshrined in and guaranteed by our Constitution. Now, an apprehension has been expressed by opposition Members as to why in the presence of so many laws and so many penal provisions in the country the rights and liberties guaranteed by our Constitution in the Fundamental Chapter should be abridged by the promulgation of a particular type of Ordinance or a particular type of Bill by which that individual cannot be tried openly in a court. Of course, the constitutional right to freedom and liberty is meant for citizens who are good citizens. But if a citizen, knowing full well that he is not

to do certain activities which are detrimental to the interests of the country both financially and politically, does it, then I do not think that particular citizen can claim the right which has been guaranteed by our Constitution. I am no less a respecter of the rights and liberties of the citizen. At the same time, with confidence I can say that I do not agree with this particular voice which says that persons having constitutional rights and liberties will take shelter under the provisions of the Constitution and go on doing activities which have a terrific and bad impact on the national character as well as on the national economy.

Therefore, if persons of this calibre, of such stature cannot be tackled by all other laws, than definitely stronger measures will have to be taken. So, if some of the Opposition Members say that this is a black Bill, that this is a black Act, I am not in agreement with them.

Sir, in this House when we discussed the financial position of the country in relation to foreign exchange, the then Finance Minister, Mr. Chavan, agreed here that the Report of the Kaul Committee is with the Government and that it has been said therein that about Rs. 600 crores in terms of foreign exchange are being utilised by the misdeeds of these black people, those who are not only the enemies of the Government but are also the enemies of the society and the country itself. Therefore, if we take into consideration that particular Report which has been submitted by a very experienced exponent like Dr. Kaul and if we see that even after the submission of that Report the thing could not be stopped, then what alternative was open to the Government to check this? I believe it is a welcome measure. And if any Opposition Member says that in the garb of restraining and controlling the blackmarketeers and the smugglers of foreign exchange the Government is trying to hang the Sword of Damocles upon them, their apprehension is not justified. Yesterday my hon. colleague, Prof. Verma, was citing certain examples. He said that this Bill was like that of the German Nazi leader, that by having this sort of legislation the liberty and freedom of the citizens of Germany were curtailed. I do not know how this example fits in with this sort of legislation that has been proposed here. Sir, the constitutional rights and freedom that have been guaranteed remain intact, and this Bill has also been brought forward within the

framework of the Constitution. In the Chapter on Fundamental Rights where the various rights and liberties have been discussed, there are certain saving clauses and they have given ample powers and opportunities to the Government to deal with a particular type of situation and a particular type of right can be negated for a particular class of citizens or a particular class of individuals. Therefore if in this Bill it has been said that instead of putting a particular type of criminals for open trial they will have to be held under detention, that is also protected according to the provisions of the Constitution of India.

I have very carefully gone through this Bill and I find that the provision is there, namely, that if there is anything *mala fide* in the order passed or the detaining authority is not satisfied, then constitutional remedies are open for the detainee. Therefore, I am not in agreement with what Principal Varma has said that this is a measure on the lines of the measure adopted by the Nazi German leaders. Therefore, while congratulating for the type of legislation I must say that it was long overdue. Therefore, it is better that you implement it when the Bill becomes an Act. But I have an apprehension.

Sir, I may submit to the hon'ble Minister in charge of the Bill that after you launched the operation, I believe certain officials who are responsible for implementing this anti-smuggling operation programme are putting hurdles in the way of curtailing anti-smuggling offences relating to foreign exchange. I feel it will not be wise on my part to disclose them here so that Government can take strong action against those officers. You will be surprised to know that consignments have come in the name of Embassies from certain countries. In the Customs Act you have a provision that the Customs Officer cannot open a consignment if it is meant for any Embassy. They cannot even challenge the *bona fides* of the consignor or the consignee. In these packages there may be so many things. Therefore, if you are to implement the provisions of this particular law I am strongly of the opinion that you should make a certain package deal warranting changes in the Customs Act and to keep an eye upon the officers who are implementing the provisions of this particular law which you are going to adopt for the anti-smuggling operation.

Sir, I do not mean that all the officers in your department are corrupt. In my country there are very many good officers who understand the intentions of the Government and try to fulfil it at their respective levels. They perform their duty with due obligation and responsibility. But there are others who, because of socio-economic conditions in the country, may feel like making hay while the sun shines. Therefore, I would request the hon'ble Minister to pick out sincere officers who really want the implementation of the objectives of the Bill, who have the earnest desire to help the Government. They should form a cell in the Ministry which would suggest and initiate prompt action as desired by the Customs law and various other laws dealing with economic offences more particularly foreign exchange. So although you are late, better late than never. You have started well and you should implement to the satisfaction of the people. You should be harsh in dealing with this type of criminal cases. I had certain other submissions to make but the time is short. You must also think what to do with regard to the properties that this type of criminals have acquired.

Well, you cannot simply say, let by gones be by gones. You have to do certain things. When they have exploited the whole society, when they have exploited the 550 million people of this country, when they have violated the statutory provisions which were passed by this Parliament with the power given to it by the people of this country, and acquired illegal properties by unlawful means and they have no right to retain them. I am not sure whether the Minister in his reply will indicate as to what they are going to do with them. I very much wish something is done in this regard.

SHRI BHUPESH GUPTA (West Bengal):
Sir, as you know, we have welcomed the anti-smuggling drive and the measures which have been taken so far with a view of smashing the smuggling rackets and putting the smugglers in prison and also we have demanded the confiscation of their properties. But what is important, apart from carrying on the drive against the actual smugglers and their close associates, is to extend the drive to quarters where the patrons of these smugglers, both political and others, live. That is very, very important. Unless we take measures to smash the economic power of the smugglers and to dismantle the ramifications of the

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smuggling world, we will not achieve the objectives that we have before us. It is a big challenge and it has to be met ruthlessly in all directions.

Before I proceed further, I should like to recall what I said before. You will remember that once I mentioned the names of some Governors and ex-Governors. Well, I am not concerned with their position as Governor, but I would rather mention the names again because one of them, it seems, has contradicted my statement through a press statement from the Government House. And he has asked me to say something outside so that he can go to the court to prove that what he says is right. I am a little surprised, therefore, by the statement of Mr. K. K. Shah, Governor of Madras, which he issued to the press to challenge my statement in Parliament when I named him. Sir, I repeat what I said. It is not for me to go into investigations. It would be worthwhile for the Government to carry out certain investigations into the activities of Mr. S. K. Patil and Mr. K. K. Shah when they were in control of the Congress organisation in Bombay during the days of undivided Congress one in the capacity of Treasurer and another in some other capacity. I think if an investigation were held, thoroughly and impartially, by an effective agency, certain interesting revelations would come to light, for the simple reason that during their control of the Congress organisation and their fund-raising operations for political purposes, the Mastans and the like became kings. It is well known; anybody in Bombay knows it. And even to-day, if I may say so, certain friends of the smugglers, if not smugglers, are entrenched in the Bombay Ministry. And it is no use trying to shut one's eyes to this thing. We are making certain allegations, if you call it allegations, on the basis of information that we have at our disposal. Now, it is for the Government to find out, through enquiry, as to how they should be tackled.

Therefore, I ask what has happened to those friends of the smugglers who have been smuggled either into the Ministries of this regime or Raj Bhavans or into the Secretariats of the Government? Who are going to discover those smuggled goods who are very safely put in—shall we say—political lockers of the regime either in the Government house or in the Secretariats or in the Ministries

or similar other official situations? I would like these smuggled commodities in human flesh to be discovered in order that we can track down effectively the smuggling racket.

In this connection, I must point out to you some other things. It is better that one should always be concrete and helpful. I hope the Minister will not mind in my being concrete. Take the case of East Coast Construction Company in Madras. Everybody knows that it is the centre of smuggling operations. This company, I am told, is building flyways in Madras. Madras does not need any flyways. But they are being built there.

Shri Yasin is the topmost and very well-known man in the smuggling world. I am told some cases are pending against him. But he was not to be seen. It was reported that he was in Hongkong. Now it is understood that he is in the country and still not being prosecuted. He is the presiding deity and head of this organisation called East Coast Construction Company. Who will investigate into the activities of this Company to see if it is not involved in lot of smuggling? This company is interestingly constructing a building for Muraoli newspaper which is run by the ruling DMK....

SHRI M. KADERSHAH (Tamil Nadu) : On a point of order. The hon. Member should clarify whether Muraoli building is being built by the concern of Yasin or not. I would like to say that this building is constructed by the concern itself and not by anybody else.

SHRI BHUPESH GUPTA : Anyway let them find out. If you say that, I will take this information from you. But I do not know how a newspaper concern can construct a building. Editors write columns. They do not lay bricks or construct a building. Somebody must be financing....

SHRI M. KADERSHAH : Ajoy Bhavan was financed by whom?

SHRI BHUPESH GUPTA : It may be financed by anybody. We would like to know whether there is any connection and whether Shri Yasin is very closely connected with the ruling DMK. He happens to be head of East Coast Construction Company. Are there warrants pending against him?

Then another thing, Bhakia, according to my latest information, had very great close

connection with Shri Bandodkar, the Chief Minister of that time in Goa. Find it out. It is necessary to find out how they operated. It is interesting also to have a little inquiry into the affairs of Shri Antulay, a Bombay Minister. It will be interesting. You must inquire into these things. We are helping you and co-operating with you. That is why we say these things on the floor of the House instead of saying it secretly or privately.

I can name others also. As far as Shri Sukhadia's Chotisaadari case is concerned, I do not know whether it is connected with Shri Lal Bahadur Shastri's being weighed in gold. You should investigate and find out how did it happen that Shri Sukhadia was presented with so much gold and also so much money for relief works by smugglers.

What was the attraction for him ? Why the smugglers should gravitate towards the Chief Ministers rather than towards some of you, I should like to know. Why do they not gravitate towards you, Mr. Deputy Chairman ? You are a very interesting person. Have you met any smuggler so far ? Have they come to you with money for relief work and other things ? No, never.

Then, Sir, the Park Hotel of Calcutta of Mr. Jit Pal is there. Inquire into the affairs of this hotel and find out how many boarders there are *bona fide* boarders. I am told that it is the haven of some well-known smugglers and many operations, well, Sir, are conducted in this hotel, the Park Hotel of Calcutta, this hotel of Mr. Jit Pal. Find these things out. Now, these are the things that I can tell you. Then, what about the Ambassador Hotel ? This hotel, the Ambassador Hotel, belongs to Mr. Narang. There is also another restaurant—and this restaurant is the talk of the town now—and this also belongs to the Narang family. This family was supposed to be helping at one time some Congress volunteers or trainees. But, it seems that, on the one hand, he shows his patriotism in one way and, on the other hand, runs restaurants which have become smuggling dens. I would also like to know whether some Ministers are always hosted in the Ambassador hotel. This has also to be found out. You should look into the records of this Hotel and find out how many Ministers have lived there. Why should they live or stay there ? Why should they not go to and live in the Raj Bhavans ? Why should not the Central Mini-

sters stay in these Bhavans when they go out and why should not the other State Ministers do so when they come from other places ? Find this out.

Then, Sir, the film financing societies are there and these things should be investigated in an effective and proper manner. Otherwise, you will not get the truth. Sir, here I may mention the case of Mr. Nityanand Kanungo and this has been admitted on all hands. Sir, Mr. Nityanand Kanungo, when he was a Governor, gave a certificate to somebody as a social worker, that is, to Haji Mastan. How did Mr. Kanungo know that Mr. Haji Mastan was a social worker and not a smuggler ? Why should his knowledge be so imperfect and limited ? I cannot understand this. If Mr. Kanungo, with all his legal knowledge, had come to know that Mr. Haji Mastan was a social worker, he might have as well, after all, taken the trouble and found out the facts and come to know that he was a smuggler also. Now, Sir, for what Mr. Nityanand Kanungo gave the certificate ? I do not know whether it is for the smuggling operations or the non-descript and undefined social work of Mr. Haji Mastan ! But it does seem that Mr. Haji Mastan speaks better and impresses people with the money that he earns through smuggling rather than by his services as a social worker doing social work. This has also to be found out. Was Mr. Nityanand Kanungo asked to make a statement to the Government ? Now that the High Court has censured him virtually it is necessary for the Government to ask the ex-Governor as to what he has to say. Why is there no investigation against Mr. Nityanand Kanungo and into his activities and operations when he was the Governor or thereafter or even before he became the Governor ? When he came to this House also, there were charges against him in the old days. Try to find them out. No. It is not done. Governors are not the subject of investigation. Why ? I should like to know. Is this the way to run the campaign against smuggling ? The same thing applies to Mr. Sukhadia and others. Sir, I am mentioning these things not with a view to maligning any individual. They are maligning themselves. Could the smugglers have thrived as they did but for the political patronage they got from the politicians and the authorities in power ? It was not just a pick-pocket business and it was not just doing a small operation. Huge operations have been there involving big

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things—cars, trucks, ships, launches and many other things. Many things have taken place.

Not only in posh, but also in big cities and towns, such massive operations would have been impossible if they had not been connived at or otherwise helped by those who were in power. And some people in power in the ministerial position, top bureaucrats in the administration, have definitely abetted smuggling. What about action against them? I should like to know whether there are dossiers against the officials. How many of them have been arrested? Are there any dossiers against Ministers? How many ex-Ministers and politicians have been arrested? These are very relevant questions in this connection to be asked.

The 1. Haji Mastan made a statement: Some politicians come to me and take money from me during the night and abuse me during the day. Obviously, black money transactions always take place in darkness and pretended virtues are carried out during the day when you do not know what they are doing in the night. Therefore, investigation is needed.

Smugglers should be asked to make statements. They may be in detention. But they should not be allowed to remain silent. Has there been investigation? Has there been interrogation? What sort of action has been taken against them? They should make statements. It is very, very important that smugglers should be made to speak out. It is in national interest. How you should do it is for the Government to decide. Now there is detention. Some of them are, at any rate, in detention. We would like to make them talk. They should talk. They should be made to talk. How they can talk—well, it is not for me to settle. But we must know.

Some of them should be tried. I know that trial may be difficult. But why some of them should not be put on trial?

Then comes the question of their properties, *benami* properties and other properties. What are you going to do with them? These properties should be confiscated. If necessary, issue another proclamation amending the provisions of the Constitution so that you can seize these properties. At least, keep them during the period of emergency. Then, you may also think of appointing custodians of smugglers' property. There are properties which are in their names or in the names of their relatives or

which are *benami*. Sir, multi-storeyed buildings, cinema houses, business investments and many other things have come to light. Sir, what happens to them? Have we any jurisdiction about smugglers' properties? Will they get away with these properties? It is very important and urgent that we should confiscate the property. We need not go into legal niceties about this matter when we are convinced from investigation that they are smugglers' properties, whether they are held in their names or in the names of others and whether they are liquid assets or whether they are assets in real property like multi-storeyed buildings or the Bombay garages of Mastan.

Sir, we are told that in some of the multi-storeyed buildings, smugglers accommodate a number of officials. I should like to know from the Government of India whether they have investigated how many officials belonging to the Customs, Income-tax and other departments live in these buildings which are owned by the smugglers, or where their friends or relatives live? This should be found out.

Here is the picture, Sir. You will be surprised to know how one of the smugglers maintains a building in Bombay. There is an under-ground swimming pool and the roof of the ground floor is made of glass so that down below they can see beautiful women and others swimming about in the pool. This is a scandalous thing. What happens to that building with the swimming pool which enable some smugglers and their associates to indulge in such kinds of orgies? Have you ever . . .

SHRI SUBRAMANIAN SWAMY (Uttar Pradesh): Bachelors have no right to talk and complain about these things . . .

(Interruptions)

SHRI BHUPESH GUPTA: Well, my friend, having been married, has the monopoly in such matters.

1 P.M.

SHRI SUBRAMANIAN SWAMY: You are against monopolies. Why don't you join me in this?

SHRI BHUPESH GUPTA: I realise that you know the technique of operating swimming pools of this kind. Certainly, I can speak on this subject, at least if you don't mind. Sir, this is another thing. Sir, yesterday, we put a question. Shrimati Gayatri Devi, former M.P. and Swantantra leader, had been robbed in New York when she was returning from Waldorf Astoria hotel after attending some party in the

company of some foreigners. We know from the newspaper reports that she was robbed of her jewellery. Now, the Government says that she did not declare any jewellery to the customs officials when she went to the United States. Do I understand that others have to declare the jewellery they take out and Shrimati Gayatri Devi has not to declare her jewellery? Sir, I would like to know how much of jewellery was taken out by the former princesses, Maharanis and Ranis. This is a matter for investigation and the Government should find out. These American gangsters know that Shrimati Gayatri Devi has come to their country with jewellery from India, but the Bombay customs officials do not know or have no record whatsoever as to how much jewellery Shrimati Gayatri Devi had taken in order to oblige the American gangsters who successfully robbed her of her jewellery. In any case, we should like to know what is the value of that jewellery which was grabbed by an American gangster or a group of gangsters.

SHRI B. S. SHEKHAWAT (Madhya Pradesh) : That jewellery was not taken out by Shrimati Gayatri Devi. It was purchased there.

SHRI BHUPESH GUPTA : I do not know. With whose money? who sanctioned the foreign exchange? Am I then to take it that she is smuggling jewellery into the country? Is she buying jewellery with black money and smuggling it into India? I do not know. You better find out. You can ask Shrimati Gayatri Devi and she would enlighten us. In any case, the Government should find out what was the jewellery, what was its value, how it came in her possession and who are in her company. All these things should be found out in public interest. We are not interested in entering into anybody's private life or private affairs. We leave them alone in such matters. But surely when national interests are involved and there is suspicion of this kind, things should be found out.

श्री नत्थी सिंह (राजस्थान) : वे तो भारतीय लोक दल में हैं, रबी राय को मालूम होगा।

श्री रबीराय (उड़ीसा) : उन्होंने भारतीय लोकदल में कोई योगदान नहीं किया इस लिये मेरी कोई जिम्मेदारी नहीं है।

SHRI BHUPESH GUPTA : Mr Rabi Ray has gone into her company. Now, he is in a pleasant company. I must say that. I do not know whether Mr. Charan Singh attracted him and Shrimati Gayatri Devi attracted him.

SHRI RABI RAY : I do not know her personally.

SHRI BHUPESH GUPTA : You do not know her and even then you are so attracted by her. No wonder what would have happened, had you known her? I leave it at that. I find that the campaign has slowed down to some extent, if not given up. Some 500 people were arrested previously. Now, we have been told that 600 persons have been arrested. Many of them are out. It appears that Mr. Subramaniam is not meeting his officers in order to give them directions. This is very essential. He must give encouragement and direction to the officers. It appears that the Ministry of Finance has now come to the conclusion that the matter should not be given any publicity. But this is not the proper thing. It may deflate public interest. In this matter, publicity is called for in order to activate the members of the public who can help the Government in the anti-smuggling drive.

Then, there is the question of speed boats. There was a proposal to procure 100 speed boats. Upto now, only two have come. What happens to the rest? I am told, one is not working. What happened to the other? We must get hold of a number of speed boats. I am told, there is a plan to produce them in the Garden Reach Workshops instead of importing them. I am all for producing them in our country. But if there is a lot of delay, get from abroad as many as you require, the minimum, for your drive. Sir, even if we spend some foreign exchange here, we will save elsewhere. That is very very essential. Sir, this is one thing on which I cannot say very much. It is for the Government to consider and find out as to how the problem of speed boats should be tackled. One should not be too rigid over a matter of this kind. Speed boats are very very essential.

Now, Sir, many things can be said again. I would come to this thing. Sir, crores and crores of rupees have been lost to the country as a result of smuggling. And I cannot separate smuggling operation from the operation of black money and monopoly capital in our country. There is an attempt to separate them in a manner as if the smuggling operations have nothing to do with the general operations of the monopoly capital in our country. Sir, they are interlinked. The smugglers have thrived in our society because of black money, because of accumulation of gold in secret hoards and because, above all, of the monopoly

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capital. And it is no surprise that many of the smugglers are linked with monopoly houses and investing in business of the type in which monopoly capital is interested. Sir, these connections should also be found out. Let it not be thought that smuggling has no connection whatsoever with the operations of these sections in our economic life who indulge in profiteering, blackmoney, hoarding and the rest of it. These should also be found out.

Then, Sir, a very important point. I repeat the political connection. We are not satisfied at all. What is the mechanism for it? And there is a suspicion that some people are interested in not pursuing the investigation lest many skeletons in the cupboards should be found out. Sir, I think, it is very very essential that we trace where the smugglers got their backing. Who has given them licences? Who allowed Mastan to go and travel abroad. It seems Mr. Kanungo certified for his passport. With that passport, he naturally went to Dubai and other places in order to facilitate his smuggling. But, should not there be any other investigation as to how they operated? Some of the smugglers have properties abroad also. Have you given instructions to our Embassies abroad to take up the matter with the concerned Governments so that these properties are also accounted for, if not they are made available to us to dispose them of in foreign countries? Sir, we are told smugglers have got accounts in foreign banks. What is the Government doing about it? Have you taken any steps through diplomatic channels or otherwise by contacting the foreign governments where these banks are situated or located in order to find them out? Sir, this smuggling is an international crime, and it has international ramifications. Therefore, it is necessary for the Government not to just confine it to a drive by the Customs Officials or the Excise Officials. It should be carried forward in all directions, in the larger sphere of economic and political life. And even different Ministries should come into the picture in so far as the question of dealing with the smuggling operations that go on in India and abroad are concerned. This is not being done. On the whole, Sir, I find that there is a let-up in the drive. Many of them will be released very soon perhaps. Some have been released already. But even if they are jailed for one year, what does it matter? Even if Mastan is jailed for a year, what does it matter? He will have good rest in

the Tihar jail or in the Lucknow jail. His property remains, his empire remains, his outfit remains, his political patrons remain where they are—may be, a little more careful now than they used to be in the past—and his associates are still out to get assistance from those quarters.

Unless you do such things you will not be in a position to smash this smuggling racket.

MR. DEPUTY CHAIRMAN : You will have to conclude.

SHRI BHUPESH GUPTA : It is a big task. Therefore, finally, before I sit down, I want to impress upon the Government that really comprehensive legislation should be brought. The object should be, No. 1, confiscation of the smugglers' property. We are ready to support the Government in any amendment they need in the Constitution or any other law for the smugglers. No. 2 is, the smugglers should be put in a situation where they are not in a position to resume their operations. Certainly, even if they are out, they can be bound over or taken care of under the law so that they cannot indulge in such operations. Thirdly, the patrons of the smugglers in economic life, political life and Administration should be found out by thorough investigation and exemplary action against them should be taken. No one, however high-placed he may be, should be spared from the operation of the anti-smuggling squad and law. These are very very essential. Besides, I would like to add here that the Government and the Ministry should set up a proper machinery to strengthen it.

Sir, I would only like to add that those officers who have done good work in detecting the smugglers and apprehending them should be rewarded. Just as the others who had been deficient and delinquent need to be punished, those who have shown integrity of character, courage, vision and resourcefulness in tracking down the smugglers, their services should be acknowledged and they should be properly rewarded.

The matter should not be left at that, that there are only 600 smugglers. There are many more who should be apprehended and, above all, their friends who hold property on behalf of them, their supporters and patrons in high places should also be brought within the net of the anti-smuggling operations. It is in the interests of the nation and national economy.