

2. Creation of a Special Enforcement Machinery for checking the utilisation of Actual User's Licences under the goods imported against them.

3. Suggestions for detecting and dealing with cases of import of worthless goods against valuable remittance.

V. Re Licensing

1. Intensifying the audit of the import licence issued under Registered Exporters' Scheme.

2. Inviting tenders for capital goods and heavy electrical plants before issue of import licences for them.

3. Statutory power to suspend operation of an import licence obtained fraudulently, pending its cancellation.

VI. Legislative changes

1. Several suggestions have been made for amendment of the Foreign Exchange Regulation Act, such as—

(a) stepping up of the maximum sentences for certain categories of F.E.R.A. offences and prescribing of minimum sentence for some;

(b) additional powers to Reserve Bank with respect to consignment exports;

(c) Amendment of Sections 4(3), 12(2), 12(5) and 23 of F.E.R.A.

2. Suggestions have also been made for amendment of the Customs Act, e.g. the penalty leviable under the Customs law should be relatable not merely to the value of the goods but to the extent of misdeclaration, so that the cases of over-invoicing of imports can be dealt with effectively.

VII. General suggestions

Various suggestions have been made with regard to—

(a) canalisation

(b) advance registration of contracts;

(c) fixation of floor prices,

(d) system of sale by auctions;

(e) quality control; and use by Customs and the Reserve Bank of the agency of the Export Inspection Councils;

(f) diversion of goods exported to rupee payment area under bilateral Trade Agreements.

CASES REFERRED TO MRTP COMMISSION

*37. SHRI PRANAB KUMAR MUKHERJEE:

SHRI KRISHAN KANT:

SHRI CHITTA BASU:

SHRI ARJUN ARORA:

SHRI MAHITOSH PURAKA-YASTHA:

DR. SALIG RAM:

SHRI R. P. SINHA:

Will the Minister of COMPANY AFFAIRS/ कम्पनी कार्य मंत्री be pleased to state:

(a) the number of cases so far referred to the MRTP Commission;

(b) the names of the Companies concerned with the cases;

(c) the decisions arrived at by the Commission in each case; and

(d) whether Government propose to lay the reports of the Commission on the Table of the House?

THE MINISTER OF COMPANY AFFAIRS/ कम्पनी कार्य मंत्री (SHRI K. V. RAGHUNATHA REDDY): (a) to (c) 23 applications under Chapter III of the Act have so far been referred to the M.R.T.P. Commission and of these, reports have been received in respect of seven. A statement showing particulars of the cases and nature of the recommendations of the Commission is laid on the Table of the House. [See Appendix LXXVIII, Annexure No. 5.]

(d) Government are advised that the expression "every report which may be submitted to it by the Commission from time to time pertaining to the execution of the provisions of this Act" used in Section 62 of the M.R.T.P. Act, 1969, refers to administrative reports and does not include reports on individual cases submitted by the Commission after enquiry under Sections 21, 22 and 23 of the Act. The matter is under further consideration.