

(e) whether Government is considering to formulate amnesty scheme for disclosure of black income?

THE MINISTER OF FINANCE (SHRI PRANAB MUKHERJEE): (a) The Directorate of Income Tax (International Taxation), which deals with the taxation of non-residents, has during the FY 2009-10 collected taxes of Rs. 17,167 crore and in the FY 2010-11 upto January, 2011 collected taxes of Rs. 17,434 crore. The Directorate of Income Tax (Transfer Pricing) has detected mispricing of Rs. 10,945 crore in FY 2009-10 and has detected mispricing of Rs. 22,838 crore upto January, 2011 in FY 2010-11 which has prevented shifting of an equivalent amount of money outside India.

Further, detection of evasion of income tax by the Income Tax Department is a continuous and ongoing process. Various measures under the Income Tax law such as Search, Survey, Collection of information, Scrutiny of Returns of Income etc. are undertaken to detect evasion of income tax. Whenever there is credible information about international transfer of funds having possible tax implications in India, action is taken to investigate the same and bring to tax undisclosed income, if any. To cite an example, the German Tax Authorities provided to the Indian Government information available with them regarding bank accounts concerning Indian nationals with the LGT bank of Liechtenstein. Based on the information received income amounting to Rs. 39.66 crore was assessed/re-assessed in the hands of 18 individuals being beneficiaries and tax demand of Rs. 24.66 crore raised. Notices for imposition of penalty and prosecution under various provisions of the Income Tax Act, 1961 have been issued.

(b) No Sir. Transfer Pricing provisions under the Income Tax Act 1961 have infact ensured effective action against cases of mispricing and have thus prevented illicit outflow of money from the country.

(c) The Transfer Pricing provisions were introduced in 2001 and have been continuously upgraded to meet the challenges of the growing intangible economy and various complex cost sharing arrangements. As and when a need is felt to upgrade these provisions, necessary action to that effect is taken by the Government.

(d) There are no separate provisions of special monitoring on investments of FII and FDI from Middle Asia.

(e) No Sir.

#### **Identification of critical wildlife habitats**

\*179. SHRIMATI BRINDA KARAT: Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

(a) whether the Ministry has issued new guidelines regarding identification of critical wildlife habitats;

- (b) in what ways these are different from the earlier guidelines;
- (c) whether these guidelines are in conformity with the Forests Rights Act; and
- (d) if so, the details thereof?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT AND FORESTS  
(SHRI JAIRAM RAMESH): (a) Yes, Sir.

(b) Main objective of both the guidelines was to ensure the implementation of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 in respect of the critical wildlife habitats. However, in order to fast track the implementation of the Act, the earlier guidelines have been simplified. The revised guidelines are different from the earlier guidelines in the following respect:

- (i) The Expert Committee has now to be constituted at the Range Level involving 'the' District Tribal Welfare Officer and an NGO in the field of Tribal Welfare, so that determination of the Critical Wildlife Habitats and consultation with local people could be expedited.
- (ii) A practical, de-centralized approach for determination and subsequent notification of Critical Wildlife Habitats has been provided.
- (iii) The procedure for actual 'implementation has been elucidated.

(c) and (d) The revised guidelines are in conformity with the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006. However, members of some civil society organizations made representations to the Ministry that some technical, scientific, social and ecological issues related to the process of identification and notification of Critical Wildlife Habitats and the consequent process of relocation of people from such areas required to be fine tuned to make it perfectly compliant to the provisions of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006. The Ministry arranged a meeting with the officers of the Ministry of Tribal Affairs, State/UT Governments and the representatives of scientific and civil society organizations on 4th March, 2011 to discuss the revised guidelines and taking a note of their concerns, the Ministry has withdrawn the extant guidelines.

#### **Check on black-marketing of LPG/kerosene**

†\*180. SHRI MOHAN SINGH: Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state:

(a) whether any flawless distribution system is being considered by Government to check black marketing of Liquefied Petroleum Gas (LPG) and kerosene oil;

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†Original notice of the question was received in Hindi.