

to me by the present Prime Minister of Jammu and Kashmir and it was by about the middle of October, or about that time.

SHRI A. M. TARIQ: May I know, Sir, whether he has put in a written application, or was it on a verbal request . . .

MR. CHAIRMAN: You should please feel yourself that innumerable series of questions is not be proper thing to do. You have put four questions.

SHRI MEHR CHAND KHANNA: I have already answered the question in the affirmative. The request was in writing.

•309. [The questioner (Shri Babu-bhai M. Chinai) was absent. For answer, vide col. 2052 infra.]

♦310. [The questioner (Dr. A. Subba Rao) was absent. For answer, vide col. 2052 infra.]

**CASES OF VIOLATION OF FOREIGN EX-
CHANGE REGULATIONS IN BENGAL-BIHAR
COAL MINE AREA**

•311. SHRI FARIDUL HAQ AN-SARI: Will the Minister of FINANCE be pleased to state:

(a) whether many cases of violation of the Foreign Exchange Regulations were detected by officers of the Enforcement Directorate recently in the Bengal-Bihar Coal mine area; and

(b) if so, what was the amount of foreign exchange involved?

THE MINISTER OF PLANNING (SHRI B. R. BHAGAT): (a) and (b) Four cases of alleged violation of the Foreign Exchange Regulations in the West Bengal-Bihar coal mine area came to the notice of the Foreign Exchange Enforcement Directorate recently. Foreign exchange equivalent to about Rs. 50,000 is involved in these cases.

SHRI FARIDUL HAQ ANSARI: Ma, I know, Sir, whether the people involved in these cases are individuals or some coal companies?

MR. CHAIRMAN: He wants to know whether they are individuals or firms.

SHRI B. R. BHAGAT: Of the four, one is an individual, and three are firms.

SHRI FARIDUL HAQ ANSARI: May I know, Sir whether they are being prosecuted for this violation?

MR. CHAIRMAN: Are they being prosecuted for this?

SHRI B. R. BHAGAT: In one case the adjudication is complete and the person concerned has been fined—a penalty of Rs. 2,000 has been imposed—and the other three cases are still under adjudication.

SHRI BHUPESH GUPTA: I would like to know exactly the names of the firms as well as the individuals. There is no reason why this should not be given straightaway.

SHRI B. R. BHAGAT: It has been the practice to give the names when a case is finalised and disposed of. Only one is disposed of, and three are still under adjudication, where it has not been the practice to give the names. (*Interruptions*).

SHRI BHUPESH GUPTA: Mr. Chairman, I rise on a point of order in that case. On many previous occasions the names have been given. It is no secret or any such thing. Everybody knows; it is an allegation, the subject-matter of this . . .

MR. CHAIRMAN: If everybody knows, then nobody need ask.

SHRI BHUPESH GUPTA: It is an allegation; it is a question of very great importance. It is a new practice we are developing. Even the names of Members of Parliament have been given. I know that even the names of very important Members of Parliament have been mentioned when it was asked. I can show it. I demand that the names should be given.

MR. CHAIRMAN: I think. Mr. Gupta, it is not a very healthy practice.

SHRI BHUPESH GUPTA: It is a healthy practice. Otherwise how will vigilance be kept?

MR. CHAIRMAN: I am very sorry.

SHRI BHUPESH GUPTA: Is it your contention . . .

MR. CHAIRMAN: I disagree with you. I will not press for the names.

SHRI BHUPESH GUPTA: In this matter, if you say so, then I have to submit to it. But the position is this, and I say this is a new practice that we are developing, after twelve years, that we cannot get the names. The name of the Leader of the Opposition in the Lok Sabha was also given when I was asked, for. Similar other names have been given, and I do not know why . . .

SHRI B. R. BHAGAT: Sir, I am glad the hon. Member has mentioned . . .

MR. CHAIRMAN: Please let him finish. It will take some time to finish.

SHRI BHUPESH GUPTA: Give the names of the firms, but I should insist on the names also, and if you say 'No' I am a little surprised that suddenly it should come like that. All right, give the names of the firms.

MR. CHAIRMAN: Mr. Bhagat, would you give the names in the cases which have been settled, which have been decided? He is not to give the names in the cases which are still pending.

SHRI BHUPESH GUPTA: This is under the Foreign Exchange Regulations. If you look into the Act, the proceedings, when they are ordered and they take place, they are not private things at all. Under the law

even I am entitled to get the names. I can go to them and find out from them.

MR. CHAIRMAN: There is a limit. You have said everything twice and thrice over.

SHRI T. T. KRISHNAMACHARI: The hon. Member is getting needlessly excited. The cases involved do not reveal any personalities whose names will be highlighted in the papers. The procedure that has been followed is that, when a case is taken up, until the matter is adjudicated upon, I think, even publicity may not do any good. It may be very unfair to refer to the parties themselves. Maybe there is an adjudication, and we may find that there is nothing much in it at all. My hon. colleague will certainly give the name of the person or the firm where an adjudication has taken place, and if the hon. Member so requires, we can certainly place on the Table, from time to time, cases where adjudication has taken place. But while it is in the process of adjudication, I think, it is extremely unfair to the parties who may, ultimately, be found to be innocent for their names to be dragged in.

SHRI BHUPESH GUPTA: I say this is a new procedure being adopted now. I say this in all seriousness. I will come to your Chamber and show you from the proceedings of both the Houses how this is absolutely a new procedure after twelve years which is sought to be brought in. If they are not guilty, it will be stated that they are not guilty . . .

MR. CHAIRMAN: You cannot say that they are not guilty or that they are guilty.

SHRI BHUPESH GUPTA: Sir, if they are not guilty, it will be known that they are not guilty. Suppose a case has started in a court, of law, cannot we get the names?

MR. CHAIRMAN: Will you please sit down?

SHRI BHUPESH GUPTA: Yes, Sir.

SHRI P. L. KUREEL URF TALIB: Mr. Chairman . . .

SHRI JAIRAMDAS DAULATRAM: Mr Chairman, Sir, the Leader of the Opposition Group raised a point of order. On that you, as Chairman, gave a ruling. The ruling has to be accepted by the House and the Leader of the Opposition Group has to set an example in the rules being observed

SHRI BHUPESH GUPTA: I submit to the ruling. The hon. Member need not tell me that. I ask you to consider it in the light of what had happened in the last twelve years. Well, I would not like. Sir, this ruling to be just accepted here and not be considered by you. Therefore, I will see you in the Chamber. I will come and tell you how this thing has been done.

MR. CHAIRMAN: You may rest assured that I will not press for the names being given in the House. I have said that he need not do it.

شہری پیارے لال کوریل مددطلب ہے :
اس سے پہلے بھی ناگ پور میں سونا
کچھ آدمیوں کے یہاں نکلا تھا۔ تب
بھی یہ سوال اٹھا تھا اور منسٹر صاحب
نام بتانا چاہتے تھے مگر چور نے اجازت
نہیں دی۔

†[श्री प्यारे लाल कुरील 'तालिब' :
इससे पहले भी नागपुर में सोना कुछ आदमियों
के यहां निकला था। तब भी यह सवाल
उठा था और मिनिस्टर साहब नाम बताना
चाहते थे मगर चोर ने इजाजत नहीं दी।]

SHRI BHUPESH GUPTA: This is absolutely so.

SHRI P. L. KUREEL URF TALIB: I want your ruling.

MR. CHAIRMAN: Please sit down. I do not want that thing to be discussed. I have already said that I will not ask for the names and the names, therefore, will not be given.'

*312. [The questioner (Shri N. C. Kasliwal) was absent. For answer, vide coU. 2053-2056 infra.]

UNDER-UTILISATION OF CAPACITY OF SMALL SCALE INDUSTRY

*313. SHRI M. C. SHAH: Will the Minister of INDUSTRY be pleased to refer to the answer given to TInstar-red Question No. 226 in the Rajya Sabha on the 1st May 1963 and state whether any review about under-utilisation of industrial capacity has been made with regard to small scale industries; if so, what is the result thereof?

THE MINISTER OF INDUSTRY (SHRI N. KANUNGO) : No, Sir.

DEMAND FOR SALES TAX REBATE ON THE F.O.B. PRICE OF EXPORT COMMODITIES

* 314. SHRI SIT ARAM JAIPURIA: Will the Minister of INTERNATIONAL TRADE be pleased to state:

(a) whether it is a fact that the Federation of Indian Chambers of Commerce and Industry has demanded an *ad hoc* sales tax rebate on the f.o.b. price of export commodities in order to boost exports;

(b) what other demands the Federation has made in this connection; and

(c) if so, what action has been taken thereon?

THE MINISTER OF INDUSTRY (SHRI N. KANUNGO): (a) to (c). It is understood that in a Memorandum submitted to the Committee on sales-tax appointed by the Government on the recommendation of the Board of Trade, the Federation has suggested a