

The Security Related Expenditure (SRE) Scheme, being a reimbursement Scheme, the expenditure is first incurred by the State Governments and thereafter reimbursed by the Central Government after conducting audit in the respective States. The Annual Work Plan under the Scheme is finalized on the basis of proposals received from the State Governments and any increase/decrease in financial assistance is on the basis of Work Plans submitted by the States. There is no proposal to increase the Central funding under Special Infrastructure Scheme (SIS) to West Bengal. However, considering the present level of LWE threat perception in West Bengal, the Central Government is allocating sufficient resources to deal with the problem in a determined and purposeful manner.

Progress made by NATGRID

*90. SHRIMATI T. RATNA BAI: Will the Minister of HOME AFFAIRS be pleased to state:

- (a) whether the National Intelligence Grid (NATGRID) has made any progress since its inception on the cases;
- (b) if so, the case-wise details thereof; and
- (c) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI R.P.N.SINGH): (a) to (c) NATGRID is an IT tool which will link various databases between User (Intelligence and investigative agencies) and Provider agencies (such as telecom companies) to enhance counter-terrorism capability. Therefore, it is not feasible to assess NATGRID'S progress on the basis of cases, as it is only an enabling organization.

Mechanism to prevent implications in false and fabricated cases

*91. SHRI SABIR ALI: Will the Minister of HOME AFFAIRS be pleased to state:

- (a) whether two innocent Muslim youths were acquitted by a Trial Court in Delhi on 26 September, 2013 of the charges of terrorism and the Court held it to be a fabricated case;
- (b) the mechanism to prevent implications in false and fabricated cases and to punish those who slap fabricated charges on innocent people;
- (c) how many such persons have been acquitted by different courts in the country during the last three years and the current year so far; and

(d) the details of requests/demands made by various sections of people in this regard during the above period and the action taken thereon?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI MULLAPPALLY RAMACHANDRAN): (a) On 26.09.2013, two accused persons namely Javed Ahmed Tantrey and Ashiq Ali Bhatt @ Faisal were acquitted by the Hon'ble Court of Additional Session Judge, Tis Hazari Courts, Delhi in case FIR No. 46 dated 07.08.2009 u/s 121/121-A/122/123/120 B IPC 3/4/5 E.S. Act 18/20/23 Unlawful Activities (P) Act and 25 Arms Act PS Spl Cell.

(b) Investigation related to serious offence is done by an Investigation officer under the supervision of the police in-charge of the police Station as per section 168 of the Criminal Procedure Code (CR.P.C) 1973. Further, a diary of the investigation proceedings is maintained u/s for 172 of the CR.P.C which is also available to the Court to review. Investigation related to a serious offence is also reviewed by an officer senior to the officer-in-charge of police if it mandated in the respective Police Regulations of States/UTs to ensure that there is adequate evidence against the accused that are identified during investigation and to prevent false and fabricated cases. If evidence available is insufficient then the arrested accused can be released u/s 169 of the Cr. P.C. A charge sheet is filed u/s 173 of Cr.P.C. if there is adequate evidence against the accused and if not a final report is filed either due to mistake of fact(s) or due to mistake of law as mentioned in the Section 79 of the Indian Penal Code. Once a charge-sheet is filed, Police has no role to play and it is up to the Magistrate to follow due procedures prescribed under the Cr. P.C. The magistrate of the first class would need to take cognizance u/s 190 of the Cr. P.C. At this stage the Magistrate would have to be satisfied that there is sufficient evidence to take cognizance before the commencement of proceedings under chapter XVI of the Cr. P.C. It is only then that cognizance is taken and charge(s) are framed against the accused u/s 211 of the Cr. P.C. If the case is tribal before the Court of Session then the Charge(s) are framed u/s 225 of the Cr. P.C. It may be stated here that even at this stage, the judge would need to apply his judicial mind as the sufficiency of the evidence. Section 227 and 245 of the Cr. P.C. provides for the discharge of the accused if the judge considers that sufficient ground do not exist for proceeding further. The Cr. P.C, hence, at every stage before the start of the trial provides for a mechanism for the evaluation of evidence on record and set a person to liberty if there is insufficient evidence. Therefore, no additional mechanism is required outside the existing judicial process.

(c) No such information is maintained centrally.

(d) 'Police' and 'Public Order' are State subjects under the Seventh Schedule to the Constitution of India and therefore, the State Governments are primarily responsible for prevention, detection, registration and investigation of crime and for prosecuting the criminals through the machinery of their law enforcement agencies as also for protecting the life and property of the citizens. The Union Government, however, attaches the highest importance to the matter of prevention of crime and therefore, continues to urge the State Governments/UT Administrations to give more focused attention towards improving the administration of criminal justice system and taking such measures as are necessary for prevention and control of crime. In this regard, an advisory on Prevention, Registration, Investigation and Prosecution of Crime was issued on 16th July, 2010.

Increase in Trade Deficit with China

†*92. SHRI MOTILAL VORA: Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

- (a) whether it is a fact that India's trade deficit with China was 40 billion dollar in 2011-12 which has increased upto 43 billion dollar in 2012-13;
- (b) the steps taken by Government to reduce the trade deficit;
- (c) whether Government is also aware that extremely inferior goods are being dumped in the Indian markets by China in the absence of rules; and
- (d) if so, the steps being taken by Government to put a check on the supply of inferior goods of China in Indian market?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRY (DR. E.M. SUDARSANA NATCHIAPPAN): (a) No, Sir. As per statistics by Directorate General of Commercial Intelligence and Statistics (DGCI&S), the trade deficit during 2011-2012 and 2012-2013 were US \$ 36.57 billion and US \$ 38.66 billion, respectively.

(b) With a view to reducing the trade deficit with China, efforts are being made to diversify the trade basket with emphasis on manufactured goods. We are also pursuing market access issues to tackle non-tariff barriers in the Chinese market at different forums. At the Ministerial level, we have India-China Joint Group on Economic Relations, Trade, Science and Technology (JEG) where trade related issues are taken up regularly. Indian exporters are encouraged to participate in major trade fairs in China

†Original notice of the question was received in Hindi.