

Execution of Supreme Court Judgement in case of West Bengal and others Vs. Swapan Kumar Guha and others

4434. A SHRI RAM JETHMALANI: Will the Minister of FINANCE be pleased to state:

(a) whether Government have carefully considered the judgement of the Supreme Court in the case of State of West Bengal and others Vs. Swapan Kumar Guha and others, AIR 1982 SC 949 particularly paragraphs 37 and 38 of the said judgement;

(b) whether in accordance with the said judgement, the Government considered the institution of an enquiry into the affairs of the firm and prosecution of the offenders under the Indian Penal Code;

(c) whether any action has since been instituted in this matter and the documents in the custody of the courts taken over for the purpose of investigation; and

(d) whether any investigation conducted by Government has disclosed the identity of the offenders; if so their names and particulars?

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRI JANARDHANA POOJARY): (a) to (d). Implications of the judgement of Hon'ble Supreme Court in this case had been examined in consultation with the State Government, among others. The West Bengal Government have already instituted a case under certain sections of the Indian Penal Code against the partners of the firm and another person. All papers and documents seized earlier by the West Bengal State Authorities in connection with the case under Prize Chits & Money Circulation Schemes (Banning) Act, 1978 have been seized in this case. Incometax Authorities are also separately pursuing the matter in accordance with the law.

STATEMENT CORRECTING REPLY TO UNSTARRED QUESTION NO. 403 DATED 9TH JULY, 1982 RE-SUPPLY OF DEFECTIVE ELECTRICAL PLUGS TO FOREIGN COUNTRIES.

THE MINISTER OF STATE of the MINISTRY OF COMMERCE (SHRI SHIVRAJ N. PATIL): During the 9th Session of the 7th Lok Sabha the following answer was given to parts (a) and (b) of Lok Sabha Unstarred Question No. 403 for 9th July, 1982 by Shri Ram Vilas Paswan, regarding supply of defective electrical plugs to foreign countries:

"(a) and (b). The Government of U.K. have not issued any warning to consumer not to use electrical plugs exported from India. However, preliminary laboratory tests conducted in the U.K. on certain plugs exported by an Indian exporter have raised certain doubts whether these plugs meet fully the British standards in all respects. This test report has been sent recently for re-verification to another laboratory. The Indian firm, in the present case, are established exporters of electrical accessories for a number of years and no complaints from overseas buyers have previously come to the notice of Government."

It was later observed that one statement in the answer namely, that "this test report has been sent recently for re-verification to another laboratory" was not entirely accurate. Based on a communication received from the Indian High Commission, London in connection with another Parliament Question, it was noticed that the idea about re-verification of the test report was being given up. On receipt of this, Ministry of Commerce called for clarification from the Indian High Commission, London. The High Commission in their reply explained that the London office of Engineering Export Promotion Council had been told by the Association of Short Circuit Testing Authorities, Rugby (ASTA) that they would charge a fee of £1000 with a waiting period of 3 months for a complete test of electrical plugs. The High Commission also added that they learnt that the ASTA had already conducted a test on Indian Plugs at the instance of Yorkshire county Council, Consumer