

Government of India
Ministry of Finance
Department of Revenue

LOK SABHA
UN-STARRED QUESTION NO. 222
TO BE ANSWERED ON MONDAY, JULY 18, 2022
Ashadha 27, 1944 (Saka)

GOLD SMUGGLING CASE

222. ADV. ADOOR PRAKASH:
SHRI N.K. PREMACHANDRAN:

Will the Minister of Finance be pleased to state:

- (a) whether the Central Investigating Agencies including Enforcement Directorate and Customs continue investigation on Gold Smuggling case in Kerala and if so, the details and the status thereof along with the action taken by the agencies including Enforcement Directorate on the latest revelations in the case;
- (b) whether the Government has given sanction to the State Government of Kerala to reinstate any officer arrested in gold smuggling case and if so, the details thereof;
- (c) whether it has come to the notice of the Central Investigating Agencies that one of the accused has given statement under 164(5) of the Criminal Procedure Code disclosing more evidence in gold smuggling case and if so, the details thereof;
- (d) whether the investigating agencies propose to conduct investigation on the basis of the new evidence given before the competent court and if so, the details thereof; and
- (e) whether the Government has exonerated any of the accused arrested in the gold smuggling case from the charge and if so, the details thereof along with the reasons therefor?

ANSWER
MINISTER OF STATE IN THE MINISTRY OF FINANCE
(SHRI PANKAJ CHAUDHARY)

(a) Yes, Sir. As on 12.07.2022, in the Kerala Gold Smuggling Case, the Directorate of Enforcement has identified and attached assets worth Rs. 16.82 Crores under the Prevention of Money Laundering Act (PMLA), 2002. Further, 02 Prosecution Complaints (including 01 Supplementary Prosecution Complaint) have also been filed under section 45 of PMLA, 2002 before the Special Court (PMLA), Ernakulam.

Customs Preventive Commissionerate, Cochin had detected a case of gold smuggling in the guise of diplomatic baggage at Air Cargo Complex, Thiruvananthapuram on 05.07.2020. The investigation of the case has been completed and Show Cause Notice (SCN) has been issued further a criminal complaint has been filed in the above case before the Hon'ble Addl. Chief Judicial Magistrate (Economic Offences), Ernakulam.

Based on MHA's order, NIA had registered a case RC-02/2020/NIA/KOC (Trivandrum Gold Smuggling Case) dated 10.07.2020 under sections 16, 17 and 18 of UA (P) Act pertaining to Customs (Preventive) Commissionerate, Cochin OR No. 7/2020 dated 05.07.2020 regarding the seizure of around 30kg of 24 karat gold, at Trivandrum International Airport. NIA had filed a charge-sheet against 20 accused persons under sections 16, 17, 18 and 20 of UA (P) Act on 05.01.2021.

(b): The investigating agencies have not given any sanction to the State Government to reinstate officer arrested in this case.

(c): In RC-02/2020/NIA/KOC (Trivandrum Gold Smuggling case), statements of 8 accused persons have been recorded u/s 164 Cr.PC.

Two accused in the gold smuggling case Air Cargo Complex, Thiruvananthapuram has earlier given statements under Section 164(5) of the Criminal Procedure Code, 1973; now it has come to notice through media that one of the accused, who had already given a statement as referred above has given another statement under section 164(5) of the Criminal Procedure Code, 1973. The contents of the new statements are not available.

(d): NIA continues the case under further investigations on the basis of fresh inputs.

Thiruvananthapuram Central Tax, Central Excise & Customs Zone has not received any directions from the Hon'ble Court in this regard.

The Directorate of Enforcement takes necessary action as per provisions of PMLA, 2002 as and when new evidences/facts are gathered during the investigation.

(e): In case RC-02/2020/NIA/KOC (Trivandrum Gold Smuggling case), 03 arrested accused persons could not be chargesheeted in the case for lack of sufficient prosecutable evidence.
