

INCOME-TAX INVESTIGATION COMMISSION

**260. Shri K. K. Basu:** Will the Minister of Finance be pleased to state:

(a) the number of cases dealt with by the Income Tax Investigation Commission after December 1951 up to the end of May, 1952;

(b) total amount of tax collected by the Commission during the same period;

(c) the number of cases where offence of evasion was proved and punished; and

(d) total amount realised by voluntary disclosure after the appeal by the Minister?

**The Minister of State for Finance (Shri Tyagi):** (a) The number of cases disposed of by the Commission from 1st January 1952 to 31st May 1952 is 69.

(b) The Commission does not collect any tax. The amount of income-tax realised by the Income-tax Department during the same period in cases disposed of by the Commission is Rs. 1 crore and 66 lakhs.

(c) Since the inception of the Commission, the number of cases in which concealment of income has been found out is 718. In 23 cases no concealment was detected.

620 cases have been disposed of on the basis of settlement. Ordinarily only a moderate penalty is imposed or recommended by the Commission in such cases since the settlement is made to some extent on the basis of disclosures made by the assessee and partly on the basis of concealed income unearthed by regular investigation, but admitted by the assessee.

In the 121 cases disposed of on regular investigation, penalty for concealment of income is invariably imposed both under the Income-tax Act and under the Excess Profits Tax Act, with rare exceptions where the Commission itself recommends either partial or no penalty.

Details of the settlement and investigation cases are:

|               | No. of cases disposed of | Concealed income              | Tax involved                  |
|---------------|--------------------------|-------------------------------|-------------------------------|
|               |                          | involved                      | involved                      |
|               |                          | Rs.                           | Rs.                           |
| Settlement    | 620                      | 29 crores<br>42 lakhs         | 16 crores<br>37 lakhs         |
| Investigation | 121                      | 4 crores<br>34 lakhs          | 3 crores<br>1 lakh            |
| <b>TOTAL</b>  | <b>741</b>               | <b>33 crores<br/>76 lakhs</b> | <b>19 crores<br/>38 lakhs</b> |

(d) The total amount realised upto the end of May, 1952 in cases of voluntary disclosures is Rs. 4 crores 67 lakhs.

LAW OFFICERS UNDER THE CENTRAL GOVERNMENT

**261. Shri K. K. Basu:** Will the Minister of Law be pleased to state:

(a) the number of senior Law Officers under the Central Government other than the Attorney-General and the Solicitor-General;

(b) the names of such officers and the post they occupy;

(c) whether any of such officers was practising as a Solicitor; and

(d) the terms and conditions of service of such post?

**The Minister of Law and Minority Affairs (Shri Biswas):** (a) Two, so far as the Ministry of Law is concerned.

(b) Shri M. V. Jayakar, Solicitor to the Central Government at Bombay, and Shri S. K. Mandal, Solicitor to the Central Government at Calcutta.

(c) Yes, both of them.

(d) (i) *Duration:*

The Solicitors are appointed on a contract. The Solicitor at Calcutta is appointed for an indefinite term while the Solicitor at Bombay is appointed for a period of 5 years renewable at the option of the Government of India. Provision for termination of services in certain circumstances is provided for.

(ii) *Duties:*

To look after civil legal business of the Central Government arising in Bombay/Calcutta; including all litigation in Courts, advising State Railway Administration (if required), and Departments of the Central Government located in Bombay/Calcutta, attending to the conveyancing work of such Departments, and criminal business of advisory nature of such Departments.

(iii) *Remuneration:*

Each of the two officers is paid a monthly retainer of Rs. 1,000 per mensem. The Solicitor at Calcutta is also paid an office allowance of Rs. 150 per mensem. These payments are inclusive of all in pocket or profit costs chargeable in respect of work done for Government, and charges for staff, office rent, telephone, postage, and all other establishment charges except stationery

The Solicitors are also entitled to retain in civil suits all costs awarded to the Central Government in respect of Solicitor's fees if such costs are realized from the party concerned and in conveyancing matters all Solicitor's fees recovered from the party liable to pay the charges. As a temporary measure, the Calcutta Solicitor has been granted an additional office allowance of Rs. 500 per mensem and the

Bombay Solicitor an allowance of Rs. 150 per mensem.

(iv) *General:*

The Solicitors are entitled to right of private practice.

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