

has so far entered into a contract with MITCO for supply up to October' 80 mica worth about Rs. 10 crores. The purchases by USSR constitute about 50 per cent of the total exports of processed mica in a year.

(b) Under the present policy, export contracts are shared in the ratio of 60:40 between private exporters and MITCO. The buyers themselves distribute orders for their requirements of mica in grades 5 and above amongst the private exporters. USSR has followed the same procedure. Purchases for MITCO's share are made primarily from the weaker sections. For the quantities not available with weaker section MITCO buys in the open market from over 150 registered mica exporters.

(c) and (d) Do not arise.

#### **Non-Payment of Dearness Allowance to Branch Managers of Regional Rural Banks**

5694. SHRI TRIDIB CHAUDHURI: Will the Minister of FINANCE be pleased to state:

(a) is it a fact that Branch Managers of Regional Rural Banks established under the Regional Rural Banks Act of 1976 are employed on a gross fixed salary scale without the benefit of any dearness allowance as in the case of employees of comparable cadres in nationalised commercial banks functioning in rural areas although both perform the same kind of duties and discharge similar responsibilities; and

(b) the reasons for non-payment of any dearness allowance to the Branch Managers of Regional Rural Banks?

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRI MAGANBHAI BAROT): (a) and (b). The Government had laid down earlier by way of an interim arrangement, a gross fixed pay scale of Rs. 700-1250 without any provision for dearness allowance in respect of the post of Branch Managers

in the Regional Rural Banks. Recently, the posts of Branch Managers have been equated with those of Block development Officers in the State Governments and the dearness allowance as applicable to the post of Block Development Officer is payable to the Branch Manager also.

The Regional Rural Banks have been set up as low cost institutions in a rural milieu with limited jurisdiction to provide credit to a restricted clientele in rural areas, such as, small and marginal farmers, agricultural labourers, artisans and small entrepreneurs.

To distinguish them from the other commercial banks with their high cost staff and urban bias it has been provided under section 17 of the Regional Rural Banks Act, 1976 that the remuneration of the officers and other employees of such banks would be determined by the Central Government having due regard to the salary structure of the employees of the State Government or of a local authority of comparable level and status. Moreover, Regional Rural Banks do not provide the variety of banking services that are provided by the other commercial banks. Hence it is not correct to compare the emoluments of the employees of the commercial banks with those of the Regional Rural Banks.

#### **Proposal from West Bengal Government to Tax entire profit from Tea Industry**

5695. SHRI ANANDA PATHAK: Will the Minister of FINANCE be pleased to state:

(a) whether Government are considering the proposal made by the West Bengal Government to tax the entire profit from the tea industry under the Agricultural Income-tax Act of the State;

(b) if so, the details thereof; and

(c) if not, the reasons therefor?

**THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRI MAGANBHAI BAROT):** (a) and (b) Government have been seen reports to the effect that the Bengal Agricultural Income-tax Act has been amended to provide for the levy of agricultural Income-tax on the whole of the profit derived by the tea industry.

The Government are advised that the power of the State Legislature to levy agricultural income-tax is derived from Entry 46 of List, II of the Seventh Schedule to the Constitution which refers to "Taxes on agricultural income". The term "agricultural income" has been defined in Article 366(1) of the Constitution as meaning "agricultural income defined for the purposes of the enactments relating to Indian Income-tax. The legislative competence of the State Legislature is thus restricted by the definition of "agricultural income" and it is not open to the State Legislature to enlarge the definition of "agricultural income" so as to bring within its scope what would not be agricultural income for the purposes of the Income-tax Act. This position has been recognised all along and is supported by certain supreme Court ruling which are authority for the proposition that what is agricultural income in so far as tea estates are concerned has to be computed strictly in accordance with the scheme of the Income-tax Act. Rule 8 of the Income-tax Rules, 1962 makes 40 per cent. of the income derived from the sale of tea grown and manufactured by the seller in India liable to tax under the Central Income-tax Act and it is only the balance of 60 per cent. which is agricultural income for the purpose of the Income-tax Act and also for the purposes of Entry 46 of the State List.

(c) Does not arise.

**एच०एस० सी० एल० बोकारो (बिहार) के सुरक्षा कर्मचारियों को नौकरी से हटाया जाना**

2696. श्री राम बिलास पासवान : क्या इत्यांत और खान मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या एच० एस० सी० एल० बोकारो (बिहार) के अधिकारियों ने 92 होम गार्ड सुरक्षा कर्मचारियों को बिना कोई कारण बताये नौकरी से निकाल दिया है ;

(ख) क्या उक्त 92 होम गार्ड सुरक्षा कर्मचारी पिछले पांच वर्षों से एच० एस० सी० एल० बोकारो की सेवा कर रहे थे ;

(ग) क्या यह सच है कि बिहार सरकार के कथनानुसार ये कर्मचारी केन्द्रीय के सरकार है ;

(घ) क्या अनेक संसद सदस्यों ने इन कर्मचारियों के बारे में उन्हें पत्र लिखा है ; और

(च) क्या विचार इन कर्मचारियों को कब तक सेवा में वापस लेने का है ?

**वाणिज्य तथा इत्यांत और खान मंत्री (श्री प्रणव मुखर्जी) :** (क) तथा (ख) वर्ष 1974 और 1976 के बीच हिन्दुस्तान स्टील वर्क्स कंस्ट्रक्शन लिमिटेड, बोकारो स्टील सिटी में भिन्न-भिन्न तारीखों को 92 होम गार्ड नियुक्त किए गए थे । उनमें से 78 होम गार्डों को मूल रूप से बोकारो स्टील लिमिटेड में नियुक्त किया गया था तथा बाद में उनकी तैनाती हिन्दुस्तान स्टील वर्क्स कंस्ट्रक्शन लिमिटेड में की गई थी तथा बिहार के होमगार्ड संगठन के 14 होम गार्ड हिन्दुस्तान स्टील