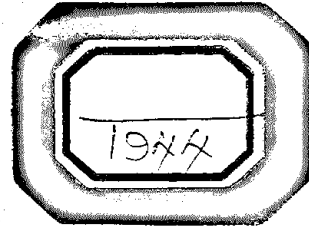


INDIAN TEA LICENSING
COMMITTEE.



ADMINISTRATION REPORT

FOR THE PERIOD

1ST APRIL 1942 TO 31ST MARCH 1943.

Calcutta.

PRINTED AT THE RELIANCE PRINTING WORKS,
249A, OLD CHINA BAZAR STREET,

1944.

W: 28.25
H4

Travancore Legislative Library

W: 28.21 111487

Section :

India Tea Licensing
Committee

Title :

Stock No. 11179 Administrative
Report
S No 20

11179
2878764



**INDIAN TEA LICENSING
COMMITTEE.**

ADMINISTRATION REPORT

FOR THE PERIOD

1st APRIL 1942 TO 31st MARCH 1943.

Calcutta.

PRINTED AT THE RELIANCE PRINTING WORKS,
219A, OLD CHINA BAZAR STREET.

1944.

W:2842 1-

H4

CONTENTS

	Page
CHAPTER I.—THE CONTROL SCHEME	1
GENERAL PRINCIPLES OF CONTROL	1
CHAPTER II.—ADMINISTRATION OF CONTROL	2
(1) The Indian Tea Licensing Committee	2
(2) The Executive	3
(3) Finance	4
CHAPTER III.—THE ENFORCEMENT OF CONTROL	7
(I)—CONTROL OVER EXPORTS	7
(a) Tea exports	7
(b) The system of export under licence	9
(c) The permit system to foreign territories in India and Indian Maritime States	9
(d) Exports of tea by parcel post	9
(e) Transfers of and validity of special export licences	10
(II)—THE CONTROL OVER EXTENSION OF TEA AREAS	10
(a) General	10
(b) Applications under Section 29 of the Indian Tea Control Act 1938	10
(III)—CONTROL OVER TEA NURSERIES	11
(IV)—CONTROL OVER THE EXPORT OF TEA SEED	12
(V)—PURCHASE OF TEA BY THE GOVERNMENT OF THE UNITED KINGDOM	13

	Page
APPENDIX I.—DOCUMENTS RELATING TO TEA CONTROL LEGISLATION IN BRITISH INDIA AND THE INDIAN STATES	
The Indian Tea Licensing Committee (Bonus Scheme) Bye-laws 1940, Amendment of the Bye-laws under the Act	16
Amendments of the Act—Ordinance No. XLVII Dated the 1st September 1942 promulgated by the Government of India	17
Amendments of Rules under the Act—Notifications by the Government of India	19
The Indian Tea Control Act 1938 as Amended by the Indian Tea Control (Amended) Act 1943	21
APPENDIX II.—(a) LIST OF MEMBERS OF THE INDIAN TEA LICENSING COMMITTEE	
	43
APPENDIX III.—STATISTICAL	
	45

INDIAN TEA LICENSING COMMITTEE

ADMINISTRATION REPORT FOR THE PERIOD 1ST APRIL 1942 TO 31ST MARCH 1943.

CHAPTER I.

THE TEA CONTROL SCHEME.

The Tea Control Scheme.—The Tea Control Scheme was begun in 1933 by an international tea Agreement between the tea producers of India, Ceylon and the Netherlands East Indies in which the British East African territories of Kenya, Uganda, Tanganyika and Nyasaland subsequently participated. The first period of the Agreement came to an end on the 31st March 1933 and it was continued for a period of 5 years from that date. The second Agreement consequently should have expired on the 31st March 1943 but a recommendation was made by the International Tea Committee that the existing scheme should be continued for the duration of hostilities and for two clear quota years thereafter and this recommendation was accepted by the Governments and the producing interests concerned.

In British India the provisions of the second Agreement were implemented by the Indian Tea Control Act 1938 which was effective from the 1st April 1938 and continued the control over the export of tea from and the planting of tea in British India for a period of five years. The Act would therefore normally have expired on the 31st March 1943 but during the year under review the subject of its continuation was considered by the Government of India and Indian tea producing interests and in January 1943 as a result of the deliberations of a conference of tea interests convened by the Government of India, it was agreed that the Indian Tea Control Act should be continued, with the necessary modifications for a period similar to that of the extended international agreement. The necessary legislative action was taken by the passing of the Indian Tea Control (Amendment) Act 1943 which came into operation immediately before the expiry of the 31st day of March 1943 and whose effect was to continue the control over the export of tea from and the planting of tea in India for the period of the present hostilities and up to the end of the 24 months commencing on the 1st day of April subsequent to their termination. In general the principles of the existing legislation were maintained and alterations either give effect to previous changes introduced by ordinance to meet circumstances caused by the war and already in practice or introduce certain

detailed changes in administrative practice. The main effect of these alterations is to be observed in their application to the work of the Licensing Committee and detailed comment will be left to the report for the ensuing period of control. A copy of the Indian Tea Control (Amendment) Act 1943 and of the Indian Tea Control Act 1938 as amended by the former Act will be found in appendix I to this report.

During the year the provisions of the Act relating to the issue and transfer of special export licenses were amended by the issue of the Tea Control (Amendment) Ordinance 1942. Details of the alterations thus made are contained in the relevant chapter of the report and a copy of the ordinance will be found in appendix I of this report.

Copies of the amendments made to the Rules under the Act during the year under review will be found in appendix I of the report.

CHAPTER II.

ADMINISTRATION OF CONTROL.

Indian Tea Licensing Committee.—As in former years the system of the administration of the control scheme by a Committee drawn, except for the Chairman, from the representatives of the tea industry was continued. The Indian Tea Licensing Committee consists of 15 members of whom the Chairman is appointed by the Central Government under the provisions of section (7) of the Defence of India Act, 10 members are nominated by the various Associations representative of the tea industry and 4 are elected from constituencies prescribed in the Indian Tea Control Act, 1938. The Committee is subject to the general revisional authority of the Central Government and in certain instances where a right of appeal is given from their decisions, to the Provincial Governments and the High Courts of the provinces concerned.

Rai Bahadur Ladli Pershad, B.A., was Chairman of the Licensing Committee till the 14th April 1942, and was succeeded by Mr. L. B. Green, O.B.E., who continued as Chairman of the Committee during the period under review. A full list of those persons, nominated and otherwise, who served on the Committee, together with particulars of the bodies which they represented during the year 1st April 1942 to the 31st March 1943, will be found in Appendix II of this report.

The main formal business of the Committee is carried out at the two statutory meetings provided for in the rules and usually held in March and August each year in Calcutta. For the purpose of more detailed

administration, considerations of time and distance make it necessary to delegate many functions of the Committee to two Sub-Committees provided for under the bye-laws. These Sub-Committees consist of the North India members in the case of the one and the South India members in the case of the other and are charged with the consideration of matters having particular reference to the control system in North and South India respectively. At the meetings of these Sub-Committees the decisions of the Committee made in circulation are confirmed and the work of the Executive organization scrutinized. During the year under review two meetings of the full Licensing Committee were held, one meeting of the North India Sub-Committee and one meeting of the South India Sub-Committee.

2. The Executive.—Power is given to the Committee under Section 5 of the Indian Tea Control Act to appoint such executive officers as might be necessary to carry out the duties imposed on the Committee under the Act and for this purpose offices are maintained in Calcutta and at Coonoor in South India under the control of two chief executive officers designated as Joint Controllers. Through these officers the whole of the executive work of the Committee is carried out and the duties of the Joint Controllers and the functions of the executive department are succinctly described in bye-law 10(1) of the Indian Tea Control Act Bye-laws, 1938, which runs as follows:—

"10(1) All applications or returns directed or allowed by the Act to be submitted to the Committee shall be received by the Joint Controllers within their respective jurisdictions.

Subject to the general control of the Committee, the Joint Controllers may register, transfer, issue export licenses and special export licenses and grant permits, call for returns and communicate to any person the orders of the Committee."

For these purposes the following staff was maintained in North and South India respectively by the Committee during the year 1942-43.

- (a) North India—Joint Controller
 - 2 Office Assistants
 - 27 Clerks
 - 8 Menials
- (b) South India—Joint Controller
 - 1 Office Assistant
 - 9 Clerks
 - 3 Menials

The posts of Joint Controllers in North and South India have been held since the inception of the control scheme by Mr. J. M. Pye, A.S.A.A., and Mr. J. A. R. Lloyd respectively. Credit is due to these officers for the

able manner in which the heavy duties placed upon them are carried out and for the high degree of efficiency reached by their establishments.

During the year 1942-43, the number of files circulated to members of the Committee by the Secretariat was 382, by the Joint Controller, North India, 992 and by the Joint Controller, Coonoor, 33. The reason for the apparent discrepancy between this section of the work of the Calcutta and Coonoor offices is that while in the Calcutta files can be circulated to members of the North India Sub-Committee who are in permanent residence in Calcutta, in South India the Sub-Committee is scattered over considerable distances and references to members are made in the normal course by letter. As regards letters issued, the Secretariat were responsible for the issue of 1730 letters and 39,000 circulars, notices to producers etc., the Joint Controller, North India for 25 579 letters and the Joint Controller, South India for 9286 letters.

In North India 24 inspections of tea estates and their records were carried out by Assessors on behalf of the Licensing Committee. A statement showing the reasons for which the inspections were arranged is given below :—

15 in connection with applications under Section 29 of the Indian Tea Control Act 1938.

3 in connection with the alleged illicit cultivation of tea.

2 in connection with applications for low producing allowances.

2 in connection with applications for the reclamation of abandoned tea areas.

1 in connection with the removal of tea areas which had been unwittingly planted in excess of a permit granted by the Licensing Committee.

1 in connection with an application for allowances on tea extensions.

The Secretarial Staff of the Bengal Chamber of Commerce, 2, Clive Street, Calcutta, continued to act as Secretaries of the Committee.

3. Finance.—The provision of the finance required by the Licensing Committee is dealt with under Section 22(i) of the Indian Tea Control Act 1938 which is as follows :—

"22. The Committee may charge and collect the following fees, namely :—

(a) a licence fee for every export licence or special export licence or permit issued by it, at such rates, not exceeding one rupee per thousand pounds of tea or part thereof covered by the licence or permit, as the Central Government may, on the recommendation of the Committee by notification in the official Gazette, fix in this behalf ;

(b) a fee, not to exceed eight annas per acre of the area concerned, on any application under sub-section (3) of section 14 for re-determination of crop basis ; and

(c) copying fees for certified copies of accounts of quotas, at the rate of one rupee per copy :

Provided that the owner of any tea estate to which a quota has been allotted under section 14 may make, or the Committee may require him to make, a consolidated payment of export licence fees at the rate fixed under clause (a) to cover the whole of the quota."

For the purposes of revenue the income from copying fees may be ignored and the expenditure of the Licensing Committee is borne almost in its entirety by the levy made on the issue of export licences to producers. The number of export licences issued depends on the Indian export allotment promulgated by the Government of India during the financial year and this in its turn depends on the figure of regulation declared by the International Tea Committee after consultation with the Governments of the participating countries. The income of the Committee is therefore based upon the Indian export allotment, and the rate of licence fee which may be fixed by the Government of India on the recommendation of the Licensing Committee subject to a maximum of Re. 1 per thousand pounds of tea or part thereof.

The effects of this may be seen from the following table which shows the degree of variation in the exportable allotment of tea and the income of the Committee for each of the five years 1933 to 1938 during the first period of control and for the years 1938-39, 1939-40, 1940-41, 1941-42 and 1942-43 under the Indian Tea Control Act 1938.

Regulation year.	Rate of licence fee. As.	Indian export allotment. lbs.	Income of Committee.			Expenditure.			Income together with surplus or deficit carried forward from previous year.			Balance at end of year.		
			Rs.	As.	P.	Rs.	As.	P.	Rs.	As.	P.	Rs.	As.	P.
1933-34	-/4/-	320,570,560	80,552	8	2	92,016	4	0	80,552	8	2	-11,463	11	10
1934-35	-/7/-	329,999,150	1,44,354	9	3	1,19,437	3	8	1,32,890	13	5	+13,453	9	9
1935-36	-/7½/-	311,142,055	1,45,987	12	6	1,45,858	8	8	1,59,441	6	3	+13,582	13	7
1936-37	-/8/-	308,930,902	1,54,328	9	6	1,66,974	2	5	1,67,911	3	1	+ 937	0	8
1937-38	-/8/-	328,526,133	1,64,687	1	0	1,89,037	3	11	1,65,624	1	8	-23,413	2	3
1938-39	Re. 1/-	354,499,697	3,81,247	15	4	2,00,313	6	8	3,57,834	13	1	+1,57,521	6	5
1939-40	-/10/-	364,080,770	2,38,049	15	4	3,01,424	0	4	3,95,571	6	3	+94,147	5	11
1940-41	-/6/-	354,499,697	1,37,499	6	6	2,27,894	4	5	2,31,646	12	5	+3,752	8	0
1941-42	-/12/-	421,567,207	3,22,019	1	8	1,94,752	6	2	3,25,771	9	8	+1,31,019	3	6
1942-43	-/9/-	479,053,645	1,81,716	1	11	2,16,643	13	1	3,12,735	5	5	+96,091	8	4

An analysis of the expenditure of the Indian Tea Licensing Committee is made in the following table which shows the main heads of expenditure during each of the years 1933-34 to 1942-43.

	1933-34	1934-35	1935-36	1936-37	1937-38	1938-39	1939-40	1940-41	1941-42	1942-43
Establishment	39,103 12 6	52,856 3 9	60,673 3 6	62,387 9 3	81,245 12 0	80,882 12 0	94,790 7 6	1,07,194 0 0	1,10,135 4 10	104,318 5 0
Travelling	11,571 3 3	7,243 6 1	10,172 9 3	10,120 2 10	10,052 15 6	8,013 0 5	6,906 4 0	6,581 14 0	4,446 5 0	3,448 0 0
Estate Inspection Expenses	7,391 14 0	8,672 5 3	12,111 11 1	40,386 5 10	27,024 1 2	10,070 11 3	8,109 14 0	5,961 15 0	4,229 12 0	2,746 12 0
International Tea Committee, London	8,117 14 6	13,557 13 0	29,179 5 0	18,124 9 6	24,020 11 6	25,839 13 7	33,721 10 3	14,779 14 0	8,738 3 0	24,951 3 0
Secretarial fee	2,750 0 0	12,000 0 0	12,000 0 0	12,000 0 0	12,000 0 0	17,250 0 0	21,000 0 0	21,000 0 0	21,000 0 0	21,000 0 0
Rent	2,957 8 0	6,000 0 0	6,000 0 0	6,000 0 0	6,000 0 0	6,600 0 0	4,830 0 0	5,346 3 9	4,440 3 3	4,440 12 0
Miscellaneous: including charges for printing, legal charges, stationery etc.	20,123 15 9	19,107 7 7	15,721 11 10	17,955 7 0	28,693 11 9	44,409 13 1	30,207 11 4	34,338 4 10	36,567 6 1	129,487 4 9
Election expenses	...	...	...	...	...	7,247 4 4	...	8,774 11 6	1,143 1 0	...
Legal charges: appeal cases	...	...	...	...	...	...	78,699 1 3	19,725 0 8	334 0 0	21,380 3 0
Reserve for retirement benefits for staff	...	...	...	...	...	...	23,159 0 0	4,072 4 8	3,668 3 0	4,870 13 0
Total expenditure	92,016 4 0	1,19,437 3 8	1,45,858 8 8	1,66,974 2 5	1,89,037 3 11	2,00,313 6 8	3,01,424 0 4	2,27,894 4 5	1,94,752 6 2	2,16,643 13 1

The International Tea Committee is maintained by contributions from the signatories to the International Tea Agreement and the expenditure incurred by the Committee is provided by the tea producing countries in the same ratio as their voting power on the Committee. Under this arrangement India contributes 47·406% of the total, Ceylon 31·121% and the Netherlands Indies 21·473%.

During the year 1942-43 India's contribution to the International Tea Committee was Rs. 24,951/3/-.

Further details of the finances of the Licensing Committee will be found in the accounts for the year 1942-43 which form part of Appendix III.

CHAPTER III

THE ENFORCEMENT OF CONTROL.

I. CONTROL OVER EXPORTS

(a) **Tea Exports.**—The loss of the Netherlands Indies made it necessary for the production of tea in India and Ceylon to be increased to the maximum. Following on increases in the degree of regulation from 90% of the standard exports in February 1941 to 110% in November 1941, a further increase in respect of the year 1942-43 was made and the degree of regulation announced by the International Tea Committee was 125% of the standard exports. This figure was promulgated by the Government of India and represented an amount of 479,053,645 lbs. and a figure of 85·68% of the crop basis of estates. Further, the increase in the degree of release made in November 1941 had been made at a time when the majority of tea estates in North India were ceasing to manufacture tea for the season. In these circumstances it was impossible for estates to manufacture and export the full quantities of tea in respect of which quota was available under the enhanced release before the end of the quota year. It was therefore agreed by the Government of India that special export licences issued by the Licensing Committee in respect of export quota from the year 1941-42 might be utilised without restriction for the export of tea covered by such licences during the financial year 1st April 1942 to the 31st March 1943. The result of the enhanced quota release and of the extension of the period within which special export licences were valid was to increase the total amount of the export quotas available for the export

of tea during 1942-43 and the effects of this were accentuated by arrangements made originally by the Licensing Committee and confirmed subsequently by the Central Government by the issue of Ordinance No. XLVII of 1942 which allowed the persons to whom special export licences were issued by the Licensing Committee to transfer the licence with all rights conferred thereby. Prices for tea in the outmarkets were high and this combined with the very large volume of quota which was available caused difficulties on the part of the Tea Controller for India in securing the tea required for the contract with the Government of the United Kingdom and also had the affect of withdrawing teas from the internal market in India and increasing the prices of such tea to an alarming extent. In view of the loss of the Netherlands Indies, which was one of the three principal tea producing countries in the world and the consequent shortage of world supplies of tea, the Ministry of Food in the United Kingdom, at the request of the Allied Nations was entrusted with the formulation and operation of a scheme under which the available world export surplus of tea would be purchased and allocated amongst the several consuming countries. It had also become evident that the demands from the outmarkets for Indian tea would result in a shortage of the country's internal requirements, with a consequential abnormal rise in the prices of internal tea unless some means could be devised whereby exports of tea from India to the outmarkets could be so regulated as to safeguard India's internal requirements since exports of tea to several destinations had been abnormally heavy. Accordingly all private exports of tea from India were prohibited from the 15th September 1942, from which date the Tea Controller for India, on behalf of the Ministry of Food, became responsible for the purchase and shipment of India's exportable surplus of tea for apportionment between the Allied Nations and neutral countries on an equitable basis. The prohibition of private exports was finally made effectable from the 15th December 1942.

It may be noted that under this arrangement it was provided that India would not export during 1942-43 to the full extent of her available tea export quota which, it was estimated, was about 489 million lbs. (including the carry over of allotment from 1941-42) but only the exportable surplus arrived at after maintaining an adequate reserve for internal consumption. It was estimated by Government in December 1942 that production for that year would be 555 million lbs. of which only 421½ million pounds would be exported under the new scheme leaving an amount for internal consumption of approximately 134 million lbs.

During the year under review apart from postal export licences 36,757 export licences and 237 permits were issued to cover exports overseas and exports to Kathiawar, Cutch and the Portuguese Settlements respectively in India. In North India 24,198 export licences were issued to tea estates and 4,500 export licences to purchasers of tea for export, while in South India 8,059 export licences were issued to tea estates. The number of permits issued in North India amounted to 115 and South India 122.

(b) The system of export under license.—No change in the system of export under license, a full description of which will be found in the report of the Indian Tea Licensing Committee for the period 1st April 1933 to 31st March 1938, was made during the year under review. As before the effectiveness of this control depended to a large extent upon the co-operation and assistance of the Customs Authorities and the Licensing Committee would record their deep sense of appreciation of the contribution made by the Customs services to the success of this part of the administration of the Indian Tea Control Act.

(c) The permit system to foreign territories in India and the Indian Maritime States.—In May 1942 it was intimated that the Government of India had received assurances from the Cutch State that the export abroad of tea and tea seeds from their ports would be permitted only under permits or licences issued by the Indian Tea Licensing Committee. In view of this it was indicated that the Government of India had decided to cancel their Notifications No. 90-Customs dated the 11th June 1938 and No. 25-Customs dated the 22nd April 1939 with effect from the 2nd May 1942 and to remove all restrictions on exports of tea and tea seeds from British India to Cutch from the same date. In view of this and with the concurrence of the Government of India, arrangements were made by the Licensing Committee to withdraw the restriction on the export of tea from British Indian Ports to the ports in the Kathiawar Maritime States and Janjira whereby such exports can be made only under permits issued by the Licensing Committee and as and from the 1st July 1942 exports of tea from British Indian Ports to Kathiawar Ports and the ports of Janjira were freely permitted without restriction.

(d) Export of tea by parcel post.—There was during the year under review no change in the system regulating the export of tea by parcel post which was fully described in the report of the Licensing Committee for the year 1938-39. The total amount of tea exported out of India by this means

during the year was 38,688 lbs. of which North India contributed 13,041 lbs. and South India 25,647 lbs. This compares with a total of 68,087½ lbs. made up of 38,244 lbs. and 28,843½ lbs. for North and South India respectively exported during the previous year.

(e) **Transfers of and validity of special export licences.**—The Indian Tea Control Act in its original form permitted the transfer only of the right to obtain export quotas, but did not allow the transfer of the actual licence. Ordinance No. XLVII promulgated by Government in September 1942 and already referred to provided that special export licences issued in lieu of export licences may be transferred to a person or persons nominated by the holder, but that such a licence cannot be again transferred, and that a special export licence so issued to cover the export of tea for 1942 should continue to be valid up to 31st March 1943.

II.—THE CONTROL OVER THE EXTENSION OF TEA AREAS

(a) **General.**—Sections 26 and 27 of the Indian Tea Control Act provide for the grant by the Licensing Committee of permission to estates to plant out new extensions subject to rules laid down but the necessary action in this connection had been taken in previous years and no further permits were issued during the period under reference. The work of the Licensing Committee in this direction was therefore confined to the enforcement of the control over unauthorised planting. The general means of control continued to be the examination by the Joint Controllers of the acreage particulars supplied by estates in their yearly applications for export quota supplemented by inspections where necessary by the District Advisory Officers. During the year in North India one inspection was made in connection with the removal of tea areas which had been unwittingly planted in excess of permits granted by the Licensing Committee, two inspections were made in connection with applications for the reclamation of abandoned tea land and three were made in connection with the alleged illicit cultivation of tea. No inspections were made in South India during the year under review.

(b) **Applications under section 29 of the Indian Tea Control Act 1938.**—Under section 29 of the Indian Tea Control Act permission to plant tea on virgin land can be applied for by the owner of any tea estate in respect of

land which was planted with tea on the 31st March 1933 and had since become:—

- (a) wholly incapable of carrying tea through subsidence, flood, erosion, earthquake or other irresistible superhuman cause, or
- (b) compulsorily acquired under the provisions of the Land Acquisition Act 1894, or of any other law for the time being in force and no longer carries tea.

Applications under this section of the Act were dealt with during the year under review. Fifteen inspections were made and in ten cases under section 29(1)(a) the Assessors confirmed that the affected areas were planted with tea on the 31st March 1933 and that they were wholly incapable of carrying tea and the Committee accordingly granted permission to plant 151.45 acres of tea on land not planted with tea. Four permits were granted under section 29(1)(b) and this covered 53.49 acres, making a total of 204.94 acres under this section of the Act. Further particulars will be found in the table incorporated in appendix II.

III.—CONTROL OVER TEA NURSERIES

The provisions of the International Tea Agreement for the period 1st April 1938 to the 31st March 1943 and of the Indian Tea Control Act 1938 regulating the system of control over tea nurseries and the action taken to enforce that control were dealt with at length in the report of the Committee for the year 1938-39. No alterations in the legislation governing this aspect of the matter were made during the year 1942-43 and the system of control was maintained unchanged.

The returns called for by the Licensing Committee from estates for the year ended 31st March 1943 indicate a satisfactory position in as much as the total area utilised for nurseries in North India at 31st March 1943 is below that so utilised at 31st March 1933. According to the returns for 1943, 861.64 acres of effective nurseries were planted on virgin soil between 1st April 1942 and 31st March 1943 and this area increased by the effective nurseries which were in existence at 31st March 1942 gave a total of 2,734.33 acres under effective nurseries on 31st March 1943. Of this area 981.84 acres were utilised. This occurred particularly in Assam where 682.65 acres of nurseries were planted and 774.18 acres were utilised for infilling vacancies, replanting 4589.02 acres and planting 58.20 acres of extensions sanctioned under the provisions of Sections 26 and 27 and 270.77 acres under the

provisions of Section 29. In Bengal 147·07 acres of effective nurseries were planted and 154·06 acres were utilised for infilling vacancies, replanting 1,139·12 acres and in planting out 13 acres of tea extensions and 2·56 acres of tea under the provisions of Sections 26 and 27 and 29 of the Act respectively.

The returns submitted to the Licensing Committee from estates in South India for the year ending 31st March 1943 indicate that the total area utilised for nurseries is 137·25 acres against 360·28 acres as at 31st March 1933 and 153·19 acres for the year ending 31st March 1942. During the period under review a total of 53·48 acres was planted out on virgin soil and 69·42 acres utilised. This appears to have occurred mostly in Madras and Travancore where some 28·29 acres and 22·87 acres respectively were planted out and 25·52 acres and 40·64 acres respectively utilised.

IV.—CONTROL OVER THE EXPORT OF TEA SEED

As has been pointed out in April 1942 in consideration of an assurance given by the Cutch State that, for the duration of the war tea and tea seeds would be exported from its ports only under licences or permits issued by the Indian Tea Licensing Committee, the Government permitted the removal of all restrictions on exports of tea and tea seeds from British India to Cutch until after the war. There was no change in the system by which exports of tea seed from India are allowed by the International Tea Agreement and by agreement with the International Tea Committee for scientific purposes to Ceylon and for commercial purposes to the four East African Dependencies of Kenya, Uganda, Tanganyika and Nyasaland.

During the year ending on the 31st March 1943 permits to export 288 maunds of tea seed were issued on behalf of the Central Government as follows :

For export to :—	Previous years since 1st April 1938 Mds.	1941-42 Mds.	1942-43	TOTAL
Uganda ...	50	6	...	56
Tanganyika ...	244	295	250	789
Kenya ...	85	34½	38	157½
Malaya ...	254	...	...	254
Ceylon ...	3 m. 14 srs.	...	...	3m. 14 srs.
TOTAL ...	636m. 14 srs.	395½	288	1259m. 34 srs.

Of this quantity 54 lbs. for Kenya Colony were short shipped at the port of shipment in India.

The Central Government sanctioned the issue of a further one maund of tea seed to Kenya Colony, but no permit was issued for this quantity as the exporters did not wish to avail themselves of the permit.

*V—PURCHASE OF TEA BY THE GOVERNMENT OF THE
UNITED KINGDOM*

The Report of the Indian Tea Licensing Committee for the period 1st April 1939 to 31st March 1940, contained a detailed account of the arrangements made by the Governments of India for co-operation between the Indian Tea Licensing Committee and the organisation constituted by Government for the purchase of tea for the Government of the United Kingdom. These arrangements were merged during the year under review in the wider scheme for the co-ordinated purchase and shipment of the exportable surplus of tea from India to which reference is made in Chapter III 1(a) of this report.

APPENDIX I

**DOCUMENTS RELATING TO TEA CONTROL
LEGISLATION BRITISH INDIA AND
INDIAN STATES.**

GOVERNMENT OF INDIA.

DEPARTMENT OF COMMERCE.

NOTIFICATION.

IMPORT AND EXPORT REGULATIONS.

New Delhi, the 30th May 1942.

No. 213(9)-Tr. (I.E.R.)/41.—The following amendment to the Indian Tea Licensing Committee (Bonus Scheme) Bye-laws, 1940, which has been made by the Indian Tea Licensing Committee in exercise of the powers conferred by sub-section (1) of section 6 of the Indian Tea Control Act, 1938 (VIII of 1938), read with rule 15 of the Indian Tea Control (Licensing Committee) Rules, 1938, and with the previous sanction of the Central Government as required under sub-section (2) of the said section, is hereby published for general information :—

For clause (d) of Bye-law 2 of the said Bye-laws, the following clause shall be substituted, namely :—

(d) "service under the Committee" includes—

(i) service under the Indian Tea Licensing Committee constituted under the Indian Tea Control Act, 1933, and

(ii) service under the Licensing Committee constituted under the Resolution of the Government of India, published under Finance Department (Central Revenues) Notification, No. 30, dated 20th May 1933"

(T. S. PILLAY).

Joint Controller to the Government of India.

BRITISH INDIAN TEA CONTROL LEGISLATION

Amendment of the Indian Tea Control Act, 1938.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

Simla, the 1st September 1942.

**Ordinance No. XLVII of 1942—an Ordinance further to amend the
Indian Tea Control Act, 1938.**

Whereas an emergency has arisen which makes it necessary further to
amend the Indian Tea Control Act, 1938, for the
purposes hereinafter appearing ;
VIII of 1938.

Now, therefore, in exercise of the powers conferred by section 72 of the
Government of India Act, as set out in the Ninth
Schedule to the Government of India Act, 1935, the
Governor General is pleased to make and promulgate the following
Ordinance :—
26 Geo 5,3.2.

1. (i) This ordinance may be called the Indian Tea Control (Amendment) Ordinance, 1942. Short title and commencement.

(ii) It shall come into force at once.

2. (i) In section 17 of the Indian Tea Control Act, 1938.— VIII of 1938.
Amendment of sec. Act, 1938.—
IV Act VIII of 1938.

(a) after sub-section (2) the following sub-section shall be inserted,
namely :—

“(2A) A person to whom a special export licence has been issued in lieu of an export licence covering the export of tea in the financial year ending on the 31st day of March,

1942, may transfer the licence with all rights conferred thereby to a person or persons nominated by him, but a licence once so transferred shall not be further transferable”;

(b) to sub-section (3) the following proviso shall be added, namely :—
“Provided that a special export licence issued in lieu of an export licence covering the export of tea in the financial year ending on the 31st day of March, 1942, shall not cease to be valid on the 31st day of May of the year in which it was issued, but shall continue to be valid up to the 31st day of March, 1948.”

(2) The amendments made by sub-section (1) shall be deemed to have taken effect on the 1st day of April, 1942.

LINLITHGOW,
Viceroy and Governor General.

GOVERNMENT OF INDIA.
DEPARTMENT OF COMMERCE.

NOTIFICATION.

IMPORT AND EXPORT REGULATION.

New Delhi, the 30th January 1943.

No. 217(2)-Tr(IEP)/42.-In exercise of the powers conferred by section 23 of the Indian Tea Control Act, 1938 (VIII of 1938), the Central Government is pleased to direct that the following further amendments shall be made in the Indian Tea Control Rules, 1938, namely :—

I. In the said Rules—

(1) In clause (b) of rule 4-

(a) for sub-clause (2) the following sub-clause shall be substituted, namely :—

“(2) Any yield which the young areas concerned contributed to the production of the estate in any one of the years 1929 to 1932, taken by the estate or assessed for the purposes of its crop basis, subject to a maximum production as per Schedule II (Contributions by young areas)

Provided that if in any case the estate can prove to the satisfaction of the Committee that its contributions by young areas concerned in one of those years taken by the estate or assessed for its crop basis were less than those mentioned in Schedule II, the deduction shall not exceed the actual contributions”.

(b) In sub-clause (3), after the words “not greater than” the words “the average production of the estate per acre in the year taken or assessed for the purpose of its crop basis but in no case such deduction shall exceed” shall be inserted.

II. In Schedule II appended to the said Rules, under the heading "North India" for the Table under the sub-head "(13) Terai," the following Table shall be substituted, namely :—

"Year of planting or replanting (1st January to 31st December	Contribution to the yield in pounds per acre.			
	1929	1930	1931	1932
1926	66	140	208	277
1927	Nil	66	140	208
1928	Nil	Nil	66	140
1929	Nil	Nil	Nil	66
1930	These young clearings did not contribute to the yield in the years 1929-32."			
1931				
1932				

(T. S. PILLAY).

Joint Secretary to the Government of India.

Indian Tea Control Act, 1938
as amended by
the Indian Tea Control (Amendment) Act, 1943

AN
ACT
TO

Provide for the control of the export of tea from, and for the control of extension of the cultivation of tea in, British India.

WHEREAS it is expedient, for the purpose of implementing the agreement which the Central Government has entered into with the Governments of Ceylon and the Netherlands India to give effect to the provisions of the International Agreement made between associations representing the tea growers of India, Ceylon and the Netherlands India, to provide for the control of the export of tea from, and for the control of the extension of the cultivation of tea in, British India; It is hereby enacted as follows:—

Short title, extent, commencement and duration. 1. (1) This Act may be called the Indian Tea Control Act, 1938.

(2) It extends to the whole of British India.

(3) It shall come into force on the 1st day of April, 1938.

(4) It shall remain in force only up to the end of twenty-four months commencing on the 1st day of April subsequent to the termination of the present hostilities.

Definitions. 2. In this Act, unless there is anything repugnant in the subject or context,—

(a) "Committee" means the Indian Tea Licensing Committee constituted under this Act:

(b) "Customs collector" means a Customs-collector as defined in clause (c) of section 3 of the Sea Customs Act, 1878, for the purposes of that Act, or of that Act VIII of 1878 as applied to the import and export of goods by air, or a Collector of Land Customs as defined in clause (c) of section 2 of the Land Customs Act 1924, as the case XIX of 1924 may be;

- (c) "export" means to take out of British India by land, sea or air to any place outside India other than the French and Portuguese Settlements bounded by India or a country notified in this behalf by the Central Government by notification in the official Gazette ;
- (d) "Indian export allotment" means the total quantity of tea which may be exported during any one financial year ;
- (e) "Owner" includes any agent of an owner ;
- (f) "prescribed" means prescribed by rules made under this Act ;
- (g) "standard export figure" means a quantity of 383,242,916 pounds *avoirdupois* of tea ;
- (h) "tea" means—
- (i) in Chapter III and Chapter IV and in the Schedule, the plant *Camellia Thea* (Linn.), and
 - (ii) elsewhere, the commodity known as tea made from the leaves of the plant *Camellia Thea* (Linn.), including green tea but excluding tea waste ; and
- (i) "tea seed" includes seeds, roots, stumps, cuttings, buds, and any living portion of the plant *Camellia Thea* (Linn.), which may be used to propagate that plant.

CHAPTER I.

THE INDIAN TEA LICENSING COMMITTEE.

Constitution of
the Indian Tea
Licensing
Committee.

3. (1) The Central Government shall constitute a Committee to be called the Indian Tea Licensing Committee, consisting of the following members :—

- (a) one member to be nominated by each of the following bodies, namely :—
- (i) the Indian Tea Association, Calcutta,
 - (ii) the Assam Branch of that Association,
 - (iii) the Surma Valley Branch of that Association,

- (iv) the Dooars Planters Association,
 - (v) the Indian Tea Planters Association, Jalpaiguri, and the Terai Indian Planters Association, Terai, acting together, and
 - (vi) the Darjeeling Planters Association and the Terai Planters Association, acting together;
- (b) two members to be elected in the prescribed manner by and from among Indian owners of tea estates to which export quotas were allotted under the Indian Tea Control Act, 1933, for the financial year beginning on the 1st day of April, 1937, one to represent the Indian Tea Planters of the Assam Valley and one to represent the Indian Tea Planters of the Surma Valley; the Indian State of Tripura, the Chittagong Hill Tracts and the District of Chittagong;
- (c) three members to be nominated by the United Planters Association of Southern India, one to represent tea estates in British India, and one to represent tea estates in Indian States;
- (d) one member to be nominated by the Government of the Indian State of Travancore to represent the tea estates in that State;
- (e) one member to be elected in the prescribed manner by and from among Indian owners of tea estates to represent tea estates in Southern India excluding Travancore owned by Indians; and
- (f) one member to be elected by owners of tea gardens of Kangra, Dehra Dun, Kumaon, Behar and other unrepresented tea estates.
- (2) Members nominated or elected under Sub-Section (1) shall hold office for the duration of this Act.
- (3) The Committee shall be a body corporate by the name of the Indian Tea Licensing Committee, having perpetual succession and a common seal, with power to acquire and hold property and to contract, and shall by the said name sue and be sued.

4. (7) If any authority or body fails to make within two months any nomination or election which it is entitled to make under section 3, the Central Government may itself nominate a member to fill the vacancy.

(2) Where a member of the Committee dies, resigns, ceases to reside in India or becomes incapable of acting, the Central Government may, in the case of an elected member, nominate a successor chosen to represent the body entitled to make the first election under section 3, and in the case of a nominated member, nominate a successor on the recommendation of the authority or body entitled to make the first nomination under section 3, or, if such recommendation is not made within two months, without such recommendation.

(3) No act done by the Committee shall be questioned on the ground merely of the existence of any vacancy in or any defect in the constitution of the Committee.

5. The Committee shall elect a chairman from amongst its members, Sub-committees and executive officers, and may appoint such sub-committees and executive officers as may be necessary for the efficient performance of the duties imposed upon it by this Act.

5A. *Power of Central Government to appoint additional member of Committee to act as chairman*—Notwithstanding anything elsewhere contained in this Act, the Central Government may appoint any person to be an additional member of and to act as chairman of, the Committee, and on such appointment being made the chairman of the Committee elected under section 5 shall cease to exercise the functions of chairman.

6. (1) The Committee may make by-laws consistent with this Act and with the rules made thereunder for all or any of the following matters, namely :—

- (a) the regulation of the procedure to be followed at meetings of the Committee ;
- (b) the appointment of sub-committees ;
- (c) the delegation to sub-committees, members or officers of the Committee of any of the powers of the Committee under this Act ;

- (d) the determination of the travelling allowances of the members of officers of the Committee or of the members of a sub-committee ;
- (e) the appointment, promotion and dismissal of officers, assessors and servants of the Committee, and the creation and abolition of appointment of such officers, assessors and servants ;
- (f) the regulation of the grant of pay and leave to such officers, assessors and servants ; and
- (g) any other matter in respect of which by-laws may be made under this Act or the rules made thereunder.

(2) All by-laws made under this section shall be subject to the previous sanction of the Central Government.

7. (1) Save in respect of proceedings and orders under sections 28, 29 and 30, all acts of the Committee shall be subject to the Central Government's power of control of the Central Government which may cancel, suspend or modify as it thinks fit any such act.

(2) Without prejudice to the generality of the foregoing provision, any person aggrieved by any order of the Committee under section 14 may appeal to either the Central Government or the High Court of the Province within which the tea estate is situated within sixty days from the date of such order :

Provided that an appeal preferred to the Central Government or the High Court shall bar an appeal against the same order to the other.

(3) The records of the Committee shall be open to inspection at all reasonable times by any officer authorised in this behalf by the Central Government.

(4) Subject to rules framed under the Act every owner of a tea estate to whom a quota is allotted shall be entitled to inspect the records of the Committee and on payment of the prescribed fee shall also be entitled to obtain copies of any proceedings or orders of the Committee.

8. (1) The Committee shall publish an annual report and shall keep accounts of all fees received by it under this Act and of the manner in which they are expended and shall also publish a summary of the accounts along with the annual report.

Keeping and auditing of accounts.

(2) Such accounts shall be examined and audited annually by auditors appointed in this behalf by the Central Government, and such auditors shall have power to disallow any item which has been, in their opinion, expended otherwise than in pursuance of the purposes of this Act.

(3) If any item is disallowed under sub-section (2), an appeal shall lie to the Central Government whose decision shall be final.

9. (1) The Central Government may, by notification in the official Gazette, declare the Committee to be dissolved and on the date of the publication of any such notification the Committee shall stand dissolved and this Act shall be deemed to be repealed.

(2) When the Committee is dissolved either under this section or by the expiry of this Act, the unexpended balance of fees received by the Committee under this Act shall lapse to the Central Government.

10. The Central Government may, by notification in the official Gazette, make rules—

- Power to make rules.
- (a) providing for the conduct of the elections referred to in clauses (b) and (e) of sub-section (1) of section 3 ;
 - (b) providing for the establishment and maintenance of offices by the Committee ;
 - (c) providing for the conduct of business by the Committee and determining the number of members which shall form a quorum at meetings ;
 - (d) providing for the maintenance by the Committee of a record of all business transacted and for submission of copies thereof to the Central Government ;
 - (e) regulating the preparation of annual estimates of receipts and expenditure ;
 - (f) regulating the keeping of accounts of receipts and expenditure ;
 - (g) determining the custody in which the current account of the Committee shall be kept, and the bank or banks at which surplus money at the credit of the Committee may be deposited at interest ;
 - (h) regulating the circumstances in which and the authority by which members of the Committee may be removed ; and
 - (i) generally, to carry out the provisions of this Chapter.

CHAPTER II.

CONTROL OVER THE EXPORT OF TEA.

Limitation of application of Chapter.

11. Nothing in this Chapter shall apply to tea—

- (a) proved to the satisfaction of the Customs-collector to have been imported into British India from any port outside India, or
- (b) shipped as stores on board any vessel or aircraft in such quantity as the Customs-collector considers reasonable having regard to the number of the crew and passengers and the length of the voyage on which the vessel or aircraft is about to depart, or
- (c) exported by post in packages not exceeding one pound *avoirdupois* in weight, or
- (d) "exported by a Red Cross Society with previous sanction of the Central Government, within the limits prescribed in this behalf.

12. (1) No tea or tea seed shall be exported unless covered by a licence issued by or on behalf of the Committee.

Control of export of tea and tea seed.

(2) No tea shall be taken by land, sea or air out of British India to any of the French or Portuguese Settlements bounded by India unless covered by a permit issued by or on behalf of the Committee.

(3) No tea seed shall be exported unless covered by a permit issued by or on behalf of the Central Government.

(4) No tea or tea seed shall be taken by land, sea or air out of British India to any place in India other than the States of Travancore, Mysore, Cochin, Tripura and Mandi unless covered by a permit issued by or on behalf of the Committee.

Provided that this sub-section shall have effect only if the Central Government by notification in the official Gazette so directs, and the Central Government may, by the same or a subsequent notification, direct that the sub-section shall not have effect in respect of tea or tea seed taken out of British India to any place specified in the notification.

13. The Indian export allotment for each financial year during the operation of this Act shall be declared by the Central Government by notification in the official Gazette after consulting the Committee and paying due regard to all interests concerned and shall be expressed as a number of pounds *avoirdupois* equivalent to a stated percentage of the standard export figure.

Provided that the Central Government may, by subsequent notification issued at any time during the financial year, alter the Indian export allotment as so declared and thereupon the Indian export allotment as so declared shall be the Indian export allotment for that year.

14. (1) Any tea estate or any sub-division of a tea estate to which an export quota was allotted under the Indian XXIV of 1933. Tea Control Act, 1933, and any tea estate which the Central Government may within one year from the commencement of this Act authorise to apply for the allotment of an export quota under this Act, shall on application made within the prescribed time and accompanied by the prescribed particulars to the Committee for the allotment to the estate of an export quota have the right, subject to the provisions of this Act, to receive an export quota.

(2) The export quota of a tea estate, that is, the total quantity of tea which may be exported by the owner of the tea estate during the financial year, shall be an amount bearing to the crop basis of the estate as determined by the Committee in accordance with the principles set forth in the Schedule or as revised by the Central Government under Section 14A the same proportion as the Indian export allotment for the financial year in question bears to the total of the crop basis of all tea estates in India for that year and when such allotment is altered under the proviso to section 13 during the financial year shall be deemed to be altered accordingly:

Provided that when the export quota of a tea estate has been reduced in consequence of an alteration or alterations during the financial year of the Indian export allotment, any tea exported by the owner of the estate in accordance with the export quota as subsisting for the time being which is in excess of the amount permitted to be exported in accordance with the export quota as finally revised for the year shall be excluded from the computation of the total quantity of tea which may be exported by that owner during the financial year, and shall be permissible export notwithstanding that the Indian export allotment for the financial year may be thereby exceeded.

(3) The crop basis of a tea estate may be redetermined by the Committee if—

(a) application is made by the owner of the estate in this behalf before the 30th day of September 1943, and

(b) the Committee is satisfied that there exist grounds of special hardship arising out of circumstances not under the control of the owner or of any previous owner of the estate and relating to conditions existing prior to the 1st day of April, 1933.

(4) The total of all export quotas allotted to tea estates at any time during any financial year shall not exceed the Indian export allotment for the time being for that year.

14A. Power of Central Government to revise crop basis—The crop basis of a tea estate as determined or re-determined by the Committee may be revised by the Central Government if the Central Government is satisfied that the Committee in determining or re-determining it acted upon information which was either incorrect or deceptive.

15. (1) The owner of a tea estate to which an export quota has been allotted for any financial year shall have a right to obtain at any time during that year export licences to cover the export of tea up to the amount of the unexhausted balance of the quota, that is, up to the amount of the quota less the amount for which export licences have already been issued against it.

Provided that for the purpose of restricting in any year the amount of tea exported from British India the Central Government may direct that the quota shall, for the purposes of this sub-section, be deemed to be reduced by such proportion as is necessary to effect the desired restriction.

(2) The right of the owner of a tea estate under this section may be transferred in whole or in part, and, subject to proof of the transfer to the satisfaction of the Committee and to the completion of the prescribed documents to enable the Committee to give effect to the transfer, the transferee shall have a right to obtain export licences up to the amount covered by the transfer or up to the amount of the unexhausted balance of the quota, whichever may be less.

Provided that if in consequence of an alteration under the proviso to section 13 of the Indian export allotment for the financial year the export quota allotted to the owner of the tea estate is reduced, any transfer of a right

to obtain export licences already made by such owner shall be void in so far as it relates to the future export of tea in excess of his export quota as so reduced, and the transferee shall be entitled to obtain from the transferor a refund of the amount paid in respect of such excess.

(3) Subject to the conditions specified in sub-section (2), any transferee referred to in that sub-section may again transfer the whole or any part of his rights to the owner of a tea-estate, but not to any other person.

(4) Nothing in sub-section (3) shall operate to restrict the issue of licences for the export of tea expressed to be sold with export rights.

16. (1) The owner of any tea estate to which an export quota has been allotted or any person to whom he has transferred his rights may at any time before the 21st day of March of the financial year to which the quota relates apply in writing to the Committee for an export licence covering a stated quantity of tea.

(2) If the unexhausted balance of the quota or of the quota as deemed to be reduced in accordance with any direction made under the proviso to sub-section (1) of section 15 is sufficient to cover the stated quantity, the Committee shall on receipt of the requisite fee issue an export licence covering the stated quantity.

Provided that, if the Central Government has at any time decided that it is desirable to restrict exports of tea from British India, the Committee may, with the general or special previous sanction of the Central Government, refuse to issue export licences.

(3) Every licence shall be in duplicate in the prescribed form shall bear the date of its issue and shall be valid up to the end of the financial year in which it is issued :

Provided that save as provided in section 17 the Committee shall not date or issue any export licence after the end of the financial year in which the application for it was made.

17. (1) Where the tea covered by an export licence issued under the Indian Tea Control Act, 1933, has not been exported before the 31st day of March, 1938, the person to whom the licence was granted may, before the 14th day of April, 1938, forward the licence to the Committee and submit therewith an application for a special export licence covering the same quantity of tea and the Committee shall, on receipt of the requisite fee, if any, issue a special export licence accordingly.

(2) Where tea, in respect of which an export licence or in respect of which an export licence would, but for the operation of a direction made under the proviso to sub-section (1) of section 15, have been obtainable has been or could have been granted under this Act, has not been exported before the end of the financial year in which the licence was or could have been issued, the person to whom the licence was or could have been granted may, before the 14th day of April of the following financial year, forward an application to the Committee for a special export licence covering the same quantity of tea, and the Committee shall, on receipt of the requisite fee, if any, issue a special export licence accordingly.

(2A) Where, in pursuance of sub-section (1) or sub-section (2) of section 7, the owner of a tea estate receives a right to obtain export licences for a further quantity of tea, he may, within one month from the date of the order whereby he receives such right, apply to the Committee for a special export licence covering that further quantity, and the Committee shall, on receipt of the requisite fee, if any, issue a special licence accordingly.

(2B) A person, to whom a special export licence has been issued under sub-section (2) or sub-section (2A), may transfer the special export licence with all the rights conferred thereby within a period of six months from the date on which it was granted to a person or persons nominated by him, but a licence once so transferred shall not be further transferable.

(3) A special export licence shall be in duplicate in the prescribed form, shall bear the date of its issue, and shall be valid up to the 31st day of March of the financial year in which it was issued.

(4) The quantity of tea covered by a special export licence shall be accounted for against the export quota of the year in which the original licence was or could have been issued under this Act. XXIV of
1933.

(5) Notwithstanding anything contained in the foregoing sub-sections, the Committee may postpone for so long as the Central Government may require the issue of any special export licence.

18. (1) The Committee shall maintain an account of every export quota showing, in addition to such other particulars as the Committee may think fit, the licences issued against it and the unexhausted balance.

Committee to
maintain accounts
of quotas.

(2) Any owner of a tea estate shall be entitled, on payment of the requisite fee, to a copy of the account relating to his quota, certified in the manner laid down in the by-laws.

19. (1) No consignment of tea or tea seed shall be shipped or water-borne to be shipped for export or shall be exported until the owner has delivered to the Customs-collector a valid export licence or special export licence in duplicate or a permit issued by or on behalf of the Central Government covering the quantity to be shipped.

Tea for export to be covered by licence or permit.

(2) No consignment of tea or tea seed shall be shipped or waterborne to be shipped for carriage or shall be taken by land to any of the French or Portuguese Settlements bounded by India until the owner has delivered to the Customs-collector a permit issued by or on behalf of the Committee or issued by or on behalf of the Central Government, as the case may be, covering the quantity to be shipped.

(3) No permit for the passage of any tea or tea seed by land into any of the French or Portuguese Settlements bounded by India shall be granted under sub-section (1) of section 5 of the Land Customs Act, 1924, unless the application for such permit is accompanied by a permit granted in this behalf by the Committee covering the quantity to be passed.

XIX of 1924.

20. (1) The Committee may serve by post a notice upon the owner of any tea estate or upon his manager requiring him to furnish, within such period not being less than thirty days as it may specify in the notice, such returns relating to the production, sale and export of tea produced on the estate, or to any other matter as it may deem necessary.

Power of Committee to call for returns.

(2) Where any return required under sub-section (1) in respect of any tea estate is not furnished within the period specified in the notice, the Committee may refuse to allot a quota to that estate under section 14 or, where a quota has already been allotted, may cancel the unexhausted balance of that quota and refuse to issue any further export licences under section 16 against that quota or to recognise or give effect to any transfer under section 15.

21. (1) The Committee may serve by post a notice upon any person claiming to be the owner of any tea estate or upon his agent or manager or upon any person claiming to be the agent or the manager of the owner of any tea estate requiring him to furnish, within such period as may be specified in the notice or within such extended period as the Committee may allow, such documentary or other evidence as may be required to prove to the satisfaction of the Committee that such person is the owner of such tea estate or is the agent or manager of the owner of a tea estate, as the case may be.

Power of Committee to require evidence of ownership.

(2) Where any person fails to comply with the requirements of a notice served on him under sub-section (1) or where the evidence furnished by such person is insufficient to prove to the satisfaction of the Committee that such person is the owner of the tea estate of which he claims to be the owner or is the agent or manager of the owner of a tea estate, as the case may be, the Committee may refuse to issue to such person or to his agent or manager any export licences against the quota allotted to such tea estate.

22. (1) The Committee may charge and collect the following fees, namely :—

(a) a licence fee for every export licence or special export licence or permit issued by it, at such rates, not exceeding one rupee per thousand pounds of tea or part thereof covered by the licence or permit, as the Central Government may on the recommendation of the Committee by notification in the official Gazette, fix in this behalf ;

(b) a fee not to exceed eight annas per acre of the area concerned, on any application under sub-section (3) of section 14 for redetermination of crop basis ; and

(c) copying fees for certified copies of accounts of quotas, at the rate of one rupee per copy:

Provided that the owner of any tea estate to which a quota has been allotted under section 14 may make, or the Committee may require him to make, a consolidated payment of export licence fees at the rate fixed under clause (a) to cover the whole of the quota.

(2) The Committee shall apply the fees collected by it under this section to the meeting of expenses incurred by it in pursuance of the purposes of this Act, and, with the previous sanction of the Central Govern-

ment, to the payment of a contribution towards the maintenance of any international committee established in furtherance of the said purposes in or by tea producing countries generally.

23. The Central Government may by notification in the official Gazette,
 Power to make rules. make rules—

- (a) prescribing all matters requiring to be prescribed for the purposes of the Schedule;
- (b) regulating the grant of permits for the carriage of tea or tea seed to the French and Portuguese Settlements;
 - (i) prescribing limits for the purposes of clause (d) of section 11;
 - (ii) prescribing the time and the particulars referred to in sub-section (1) of section 14;
- (c) prescribing the documents referred to in sub-section (2) of section 15;
- (d) prescribing the form of export licences and special export licences and permits; and
- (e) generally to carry out the purposes of this Chapter.

24. No quota fixed, no order granting or refusing to grant any licence or permit, and no other act done by the Committee under this Chapter shall be called in question in any Court, except the High Court under the provisions of sub-section (2) of section 7 of this Act.
 Bar of jurisdiction.

25. Where legislation enacted in any Indian State has made provision in pursuance of the agreement implemented by and in consonance with the provisions contained in this Act for the control of the export of tea from and for the control of the extension of the cultivation of tea in the State, the Committee shall issue export licences, special export licences and permits for the export or carriage out of British India of tea produced in any such State in the same manner and subject to the same incidents as such licences or permits are issued in respect of tea produced in British India.
 Export of tea produced in Indian States.

25A. *Power of Central Government to make orders*—If in pursuance of any scheme for the control of import of Indian tea into the United Kingdom or any other country, the Central Government considers it necessary or expedient so to do, it may by order direct the Committee to apportion the requirement of the United Kingdom or such other country among the tea estates in accordance with such principles and in such manner as may be laid down in the order and to grant such export licences or special export licences as may be necessary for giving effect to the arrangements made under such scheme, and the Committee shall comply with any such order.

CHAPTER III.

CONTROL OVER THE EXTENSION OF TEA CULTIVATION.

26. So long as this Act remains in force, no one shall plant tea in any land which was not planted with tea on the 31st day of March, 1943, save in pursuance of a written permission granted by or on behalf of the Committee :

Method of control
of extention
of tea cultivation.

Provided that this section shall apply to the replacing of tea areas by planting new areas, but nothing in this section shall prohibit the infilling of or supplying of vacancies on land planted with tea at the 31st day of March 1938 or the replanting of tea upon—

- (a) land planted with tea at the 31st day of March, 1938, from which the original bushes have been uprooted, or
- (b) land planted with tea at the 31st day of March, 1936, from which the original bushes have been uprooted.

27. (1) Subject to the provisions of section 29 and section 30, the total area of land in British India, in respect of which the permissions referred to in section 26 may be granted; shall not exceed such area as will bring the total area of the land planted with tea in British India up to one-half of one per cent over the total area of the land which would have been planted with tea in British India on the 31st day of March, 1943, had the extensions of plantation made in the two periods of five years subsequent to the 31st day of March, 1933, each increased the area in British India planted with tea at the beginning of each such period by one-half of one per cent.

Limitations to
the extension of
tea cultivation.

(2) Subject to the provisions of section 29 and section 30, the total area of land in any Province, in respect of which such permissions may be granted, shall be determined by the Committee and shall be as near as may be such area as will bring the total area of the land planted with tea in the Province up to one-half of one per cent. over the total area of the land which would have been planted with tea in the Province on the 31st day of March, 1943, had the extensions of plantation made in the two periods of five years subsequent to the 31st day of March, 1933, each increased the area in the Province planted with tea at the beginning of each such period by one-half of one per cent.

Provided that the Committee may vary the total area so determined for any Province in order to increase or diminish for another Province the area in respect of which such permissions may be granted by an amount corresponding to the extent to which the area in the first mentioned Province has been diminished or increased.

(3) The Committee shall publish the total areas so determined for the various Provinces by notification in the official Gazette of the Central Government as soon as may be after the commencement of the Indian Tea Control (Amendment) Act, 1943, and shall in like manner publish any subsequent variation of such total areas.

28. (1) Applications for permission to plant tea on any land not planted with tea on the 31st day of March, 1943, shall be made to the Committee not later than six months from commencement of the Indian Tea Control (Amendment) Act, 1943, and shall contain a clear statement of all special circumstances justifying the application.

(1A) The Committee may require an applicant to supply such information as it thinks necessary to enable the Committee to deal with the application.

(2) Subject to the limits laid down in section 27 and to any rules made in this behalf by the Committee, the Committee may grant or refuse the permission applied for or may grant it in part only or may call for further information from the applicant.

Provided that permission shall not be granted in the case of any tea estate owned by a limited liability company if the area planted with tea in the estate exceeds three hundred acres, or in the case of any tea estate owned by an individual proprietor or proprietors if the area planted with tea in the estate exceeds one hundred and fifty acres :

Provided further that the Committee may, despite the limits laid down in section 27, grant such permission to the Tocklai and Nellakotta experimental stations.

(3) No order by the Committee under sub-section (2) shall be called in question by any Court.

29. (1) Where any land which was at the 31st day of March, 1943, planted with tea :—
Grant of permission to plant tea in special circumstances.

(a) has since become wholly incapable of carrying tea through circumstances due to existing war conditions or through subsidence, flood, erosion, earthquake or other irresistible super-human cause, or

(b) has since been compulsorily acquired under the provisions of the Land Acquisition Act, 1894, or of any other law for 1 of 1894, the time being in force and no longer carries tea, the owner of the tea estate in which such land was situated may apply to the Committee for permission to plant tea on land not planted with tea.

Explanation—Land taken for purposes connected with the prosecution of war on which tea bushes have been allowed to remain for protective purposes though no longer cultivated shall be deemed for the purposes of this sub-section to be incapable of carrying or no longer to carry tea.

(2) Upon such application being made and upon proof to the satisfaction of the Committee that the applicant is entitled to the benefit of sub-section (1), the Committee may grant permission to plant tea on land not planted with tea ;

Provided that the area of land, in respect of which such permission is granted, shall be within the same or an adjacent district or an adjacent tea estate and shall not exceed in extent the area of the land incapable of carrying tea or compulsorily acquired, as the case may be.

(3) All areas of land in respect of which permission to plant tea is granted under this section shall be excluded when computing for the purposes of section 27 the total area of land in respect of which the permissions referred to in section 26 may be granted.

(4) If any land falling within the *Explanation* to sub-section (1) is subsequently restored to the tea estate from which it was subtracted, the owner of the estate shall either uproot the tea planted thereon, or uproot any tea planted by him in pursuance of a permission granted under sub-section (2).

30. (1) Subject to the provisions of sub-section (4), the owner of a tea estate may establish nurseries on land not previously planted with tea for the growing of plants intended for in-filling or supplying vacancies or for replanting land planted with tea within the area of the estate or for any other purpose approved by the Committee:

Tea nurseries.

Provided that the total area utilised for nurseries in British India shall not at the termination of this Act exceed the area so utilised in British India on the 31st day of March, 1933.

(2) All areas of land utilised for nurseries in accordance with this section shall be excluded when computing for the purposes of section 27 the total area of land in respect of which the permissions referred to in section 26 may be granted.

(3) The Committee may at any time serve by post a notice upon the owner of any tea estate or upon his manager requiring him to furnish within such period not being less than thirty days as may be specified in the notice such returns relating to the area of the land utilised for nurseries as it may deem necessary.

(4) If any return required under sub-section (3) is not furnished to the Committee within the period specified in the notice or if in the opinion of the Committee the total area of the land utilised for nurseries is excessive, the Committee may make such restrictive or other order as it deems necessary and in particular may order the uprooting of any bushes planted on any such land.

31. (1) Any applicant aggrieved by an order of the Committee under section 28, section 29 or section 30 may appeal to the Provincial Government within sixty days from the date thereof and the Provincial Government may cancel, modify or suspend any such order.

Appeal to Provincial Government.

(2) The records of the Committee relating to proceedings under this Chapter shall be open to inspection at all reasonable times by any officer authorised in this behalf by the Provincial Government.

32. (7) The Committee may at any time serve by post a notice upon the owner of any tea estate or upon his manager requiring him to furnish within such period not being less than thirty days as may be specified in the notice such returns relating to the cultivation of tea on the estate as it may deem necessary.

Power of the Committee to call for returns and to inspect.

(2) Any member of the Committee and any officer of the Committee or person authorised by it in this behalf may at any reasonable time enter upon and inspect the lands of any tea estate and may require the owner of the estate to produce for inspection any records of the estate in his control or custody relating to the cultivation of tea on the estate.

(3) Where any return required under sub-section (1) in respect of any tea estate is not furnished to the Committee within the period specified in the notice, the Committee may refuse to grant any permission under section 28 to plant tea on that estate.

CHAPTER IV.

PENALTIES AND PROCEDURE.

33. A breach of the provisions of sub-section (1) or sub-section (2) of section 19 shall be punishable as if it were an offence under Item No. 8 of section 167 of the Sea Customs Act, 1878, and the provisions of section 168 and of Chapter XVII of that Act shall apply accordingly.

Penalty for illicit export.

VIII of 1878

34. Any owner of a tea estate, or his agent or manager who has furnished any return under sub-section (1) of section 20, or under sub-section (3) of section 30, or under sub-section (1) of section 32, containing any particular which is false and which he knew to be false or did not believe to be true, shall be punishable with fine which may extend to one thousand rupees.

Penalty for making false return.

35. Whoever obstructs any member or officer of the Committee or any person authorised by the Committee, while such member, or officer or person is entering upon or inspecting the lands of any tea estate under sub-section (2) of

Penalty for obstructing inspection of tea estate.

section 32, and whoever, having control over or custody of any record a tea estate relating to the cultivation of tea on that estate, refuses or fails to produce such records when required by a member or officer of the Committee or by a person authorised by the Committee under that sub-section, shall be punishable with fine which may extend to one thousand rupees.

36. (1) Whoever knowingly plants tea or causes tea to be planted in any land in contravention of section 26 shall be punishable with fine which may extend to one thousand rupees for the first offence, and with fine which may extend to five thousand rupees for any subsequent offence.

Penalty for illicit cultivation.

(2) Whoever uses any land in contravention of any order made by the Committee under section 30, or fails to comply with any order made by the Committee under sub-section (4) of section 30, shall be punishable with fine which may extend to one thousand rupees.

37. Where any person has been convicted of any offence under section 36, the convicting Court may direct that the tea in respect of which the offence was committed shall be removed from the land within a specified time, and, in the event of the order not being duly complied with may cause the tea to be removed and may recover the cost from the person convicted as if it were arrears of land revenue due on the tea estate on which the offence was committed.

Removal of tea planted without permission.

38. (1) No Magistrate other than a Magistrate of the first class shall take cognisance of an offence under section 34, section 35 or section 36, and such Magistrate may take cognisance of an offence only upon complaint made by a person authorised by the Committee and with the previous sanction of the Central Government, where the offence is that of furnishing a false return under sub-section (1) of section 20, and of the Provincial Government in any other case.

Trial of offences under sections 34, 35 and 36.

(2) The Committee shall be responsible for the conduct of all prosecutions of offences under section 34, section 35 and 36.

CHAPTER V.

SAVINGS.

39. Notwithstanding the expiry of the Indian Tea Control Act, 1933,
 and notwithstanding the provisions of sub- ^{XXIV of}
 section (2) of section 9 of that Act,— ^{1933.}

Savings.

(a) the unexpended balance of fees received by the Indian Tea Licensing Committee constituted under that Act shall not lapse to Government but shall be transferred to the Indian Tea Licensing Committee as constituted under section 3 of this Act,

(b) until provision is otherwise made under the corresponding provisions of this Act, all fees fixed, all licences and permits issued and all quotas allotted under the Indian Tea ^{XXIV of} Control Act, 1933, shall, unless inconsistent with ^{1933.} the provisions of this Act, be deemed to have been fixed, issued or allotted under this Act; and

(c) any offence punishable under the Indian Tea Control Act, 1933, shall be punishable and may be dealt with ^{XXIV of} as if it were an offence punishable under the corres- ^{1933.} ponding provision of this Act,

and anything done before the 31st day of March, 1938, by the Indian Tea Licensing Committee constituted under the Indian Tea Control Act, 1933, with a view to the allotment to tea estates of export quotas under and in accordance with the Act, shall, so long as it is not inconsistent with any of the provisions of this Act, be as valid as if it had been done after this Act came into force.

CHAPTER VI.

SUSPENSION OF OPERATION OF ACT.

40. (1) If the Central Government is satisfied that an emergency has arisen rendering it necessary for the security of India that certain of the ^{Suspension of} restrictions imposed by this Act should cease to be ^{operation of Act.} imposed, the Central Government may by notification in the official Gazette, suspend or relax to a specified extent either indefinitely or for such period as may be specified in the notification the operation of all or any of the provisions of this Act.

(2) Where the operation of certain provisions of this Act has under sub-section (1) been suspended or relaxed indefinitely, such suspension or relaxation may at any time while this Act remains in force be removed by the Central Government by notification in the official Gazette.

THE SCHEDULE.

[See Section 14 (2).]

Principles to be followed in determining the Crop Basis of a Tea Estate.

1. Where a tea estate has before the 1st day of April, 1943, received an export quota under this Act, the crop basis of the estate for the financial year beginning on that date, or for any subsequent financial year shall be the highest crop basis assigned to the estate under this Act for any of the financial years beginning on the 1st day of April, 1940, 1941 or 1942 (herein referred to as the cardinal crop basis) increased by any admissible allowance of either of the following kinds, namely :—

(a) An allowance for young areas, that is, areas planted with tea on or after the 1st day of January 1926, determined in the prescribed manner in accordance with the prescribed rules ;

Provided that any young areas in respect of which an allowance has been made in determining the cardinal crop basis shall be excluded.

(b) An allowance for low producing areas determined in the prescribed manner.

Provided that any low producing areas in respect of which an allowance has been made in determining the cardinal crop basis shall be excluded.

2. Where the area of a tea estate for which a crop basis has been determined is reduced or increased by the transfer to or acquisition from another tea estate of land planted with tea, the crop basis of the estate shall be reduced or increased by an amount representing as nearly as possible the contribution made by the area transferred or acquired to the crop basis of the estate of which it previously formed a part.

3. Where a tea estate for which a crop basis has been determined subsequently becomes two or more separate estates the crop basis of each such separate estate shall be determined so as to represent as nearly as possible the contribution made by the area comprised in it to the total crop basis of the original estate.

APPENDIX II.

INDIAN TEA LICENSING COMMITTEE.

List of members of the Committee for the year 1942-43, the names of the nominating bodies and the period served.

	Names	Nominated by	Period served
1	RAI BAHADUR LADLI PERSHAD, B.A., <i>Chairman.</i>	Appointed by the Central Government.	1-4-42 to 13-4-42
2	MR. L. B. GREEN, O.B.E., <i>Chairman.</i>	Do.	14-4-42 to 31-3-43
3	„ C. K. NICHOLL	Assam Branch, Indian Tea Association.	1-4-42 to 31-3-43
4	„ J. JONES, C.I.E.	Indian Tea Association.	1-4-42 to 31-3-43
5	„ J. S. GRAHAM	Surma Valley Branch of the Indian Tea Association.	1-4-42 to 31-3-43
6	„ GEO. MCIN- TOSH	Dooars Planters Association.	1-4-42 to 31-3-43
7	„ DEBES CHAN- DRA GHOSE	Indian Tea Planters Associa- tion, Jalpaiguri and the Terai Indian Planters Association, Terai, acting together.	1-4-42 to 31-3-43
8	„ J. STODART	Darjeeling Planters Associa- tion and the Terai Plan- ters Association, acting together.	1-4-42 to 8-5-42
9	„ K. I. M. FEGAN	Do.	9-5-42 to 31-3-43

	Names	Nominated by	Period served
10	MR. G. H. WATERS	United Planters Association of Southern India to represent tea estates in British India.	1-4-42 to 31-3-43
11	" R. BROWN	United Planters Association of Southern India to represent tea estates in Indian States.	1-4-42 to 31-3-43
12	" J. S. WILKIE	United Planters Association of Southern India.	1-4-42 to 31-3-43
13	" S. KRISHNA IYER, B.A., B.L.	Government of Travancore.	1-4-42 to 31-3-43
14	" H. N. SARMA	Government of India to represent the Indian Tea Planters of the Assam Valley.	1-4-42 to 31-3-43
15	" S. C. DATTA	Government of India to represent the Indian Tea Planters of the Surma Valley, the Indian State of Tripura, the Chittagong Hill Tracts and District of Chittagong.	1-4-42 to 31-3-43
16	" B. K. NANDHIE GOWDER	Government of India to represent tea estates in Southern India excluding Travancore owned by Indians.	1-4-42 to 31-3-43
17	" GURPRIT SINGH MANN	Government of India to represent tea gardens of Kangra, Dehra Dun, Kumaon, Behar and other unrepresented tea estates.	1-4-42 to 31-3-43

APPENDIX III.**STATISTICAL****CONTENTS**

1. Statement of crop basis classified under Provinces and Indian States for the season 1942-43, the net quota allotments to these Provinces and Indian States and the effect on that quota of transfers.
2. Statement showing transfers of export quota in India.
3. Statement of the total crop of tea manufactured in India in each of the calendar years 1933 to 1942 classified by Provinces and Indian States.
4. Statement showing the total number of tea estates registered with the Licensing Committee during each of the years 1933-34 to 1942-43 classified by Provinces and Indian States.
5. Reconciliation of sea and land exports under export licences with the export quota promulgated by the Government of India for the year ending 31st March 1942 as at 31st December 1942.
6. Statement of tea exports under permits.
7. Statistics relating to the area of tea in India as returned to the Joint Controllers as at 31st March in each of the years 1934 to 1943.
8. A note on the area of tea under cultivation in India as at 31st March 1943, Province by Province showing (I) mature tea, (II) young areas, (III) land lying fallow, (IV) land lying abandoned.
9. Statement of tea nursery areas.
10. Statement showing permits issued for planting tea on virgin soil under Section 26 and 27 of the Indian Tea Control Act, 1938.
11. Statement showing permits issued for planting tea on virgin soil in replacement under Section 29 of the Indian Tea Control Act, 1938.
12. Accounts for the year 1942-43.

STATEMENT I.

Statement of crop basis classified under Provinces and Indian States for the year 1942-43, the nett quota allotments to these Provinces and Indian States and the effect on that quota of transfers.

(Figures represent lbs.)

Province or Indian State.	Crop Basis.	Export Quota @ 85.68%	Adjusted in the light of transfers.
Assam ...	317,557,211	272,041,388	263,408,390
Bengal ...	131,536,613	112,739,907	112,724,384
Bihar ...	1,568,517	1,361,023	1,081,266
United Provinces ...	2,232,636	1,912,842	450,309
Punjab (Kangra) ...	2,728,407	2,335,739	2,421,850
Madras ...	46,238,056	39,615,750	51,440,711
Coorg ...	219,767	188,296	41,259
<i>Total British India</i> ...	502,101,207	430,194,945	431,568,169
Tripura State ...	4,651,655	3,985,435	3,616,639
Mandi State ...	407,451	348,691	328,347
Nepal ...	90,200	77,281	45,281
Cochin ...	1,120,047	959,655	908,003
Mysore ...	2,317,808	1,985,893	1,151,128
Travancore ...	48,277,241	41,363,412	41,297,745
TOTAL ALL INDIA ...	558,965,609	478,915,312	478,915,312

Sd./- J. M. PYE,

„ J. A. R. LLOYD,

Calcutta, 12th February 1944.

Joint Controllers.

STATEMENT II.

Statement Showing Transfers of Export Quota in India.

(Figures represent lbs.)

Year.	All India Gross Transfers.	Total Transfers from North to South India.	Total Transfers from South to North India.
1933-34	32,600,015	513,155	1,428,651
1934-35	46,901,391	1,596,958	1,881,190
1935-36	65,003,740	1,852,396	4,269,295
1936-37	61,266,064	2,408,059	3,893,637
1937-38	79,299,044	3,273,406	5,668,543
1938-39	101,008,988½	4,435,755	6,998,249
1939-40	103,421,154	1,422,976	8,756,990
1940-41	96,958,118	2,049,575	9,245,681
1941-42	122,841,154	6,644,777	7,351,937
1942-43	125,176,377	13,543,221	2,817,381

Sd./- J. M. PYE,

„ J. A. R. LLOYD,

Calcutta, 20th January 1944.

Joint Controllers.

STATEMENT III.

Statement of the total crop of tea manufactured in India in each of the Calendar years 1933-42 classified by Provinces and Indian States.

(Figures represent lbs.)

Province or State.	1933 lbs.	1934 lbs.	1935 lbs.	1936 lbs.	1937 lbs.	1938 lbs.	1939 lbs.	1940 lbs.	1941 lbs.	1942 lbs.
Assam	223,843,175	231,343,686	224,622,735	224,250,518	241,807,853	256,886,472	269,267,191	269,873,321	289,114,066	317,681,884
Bengal	97,212,613	99,160,747	96,694,644	97,537,102	107,550,144	109,282,923	112,232,440	117,208,160	121,278,157	151,468,434
Bihar	835,558	731,289	750,625	854,230	944,509	290,565	265,962	332,801	1,703,203	2,130,611
United Provinces	1,825,169	1,926,555	1,686,711	1,830,518	2,003,837	1,862,059	1,717,889	1,903,901	1,739,500	2,172,711
Punjab (Kangra)	Not available	Not available	Not available	Not available	Not available	Not available	Not available	Not available	Not available	Not available
Burma	24,692	46,002	48,011	Not available	Separated from India	Not available	Not available	Not available	Not available	Not available
Madras & Coorg	28,146,798	28,916,471	30,912,505	32,152,300	34,523,987	37,652,742	36,949,998	39,318,179	41,660,322	43,219,077
Total British India	351,888,005	362,124,750	354,715,231	356,624,668	386,830,330	405,974,761	420,433,480	428,634,362	455,495,248	516,672,717
Tripura State	1,667,812	2,152,737	2,269,593	2,650,369	2,807,428	3,186,851	2,954,203	3,331,175	3,438,274	3,728,388
Mandi State	Not available	Not available	Not available	Not available	Not available	Not available	Not available	Not available	Not available	Not available
Nepal	30,023	36,800	36,900	35,346	45,120	49,850	58,900	59,545	59,920	64,000
Cochin	509,330	553,163	591,999	635,080	733,407	846,616	824,476	936,224	1,090,060	1,195,772
Mysore	198,222	195,079	334,023	371,837	748,831	1,044,951	990,993	1,194,283	1,431,940	1,475,270
Travancore	29,371,148	30,044,111	31,126,429	29,916,093	32,243,660	35,647,878	37,994,369	37,032,724	38,646,137	46,510,950
TOTAL ALL INDIA	383,664,533	395,106,640	389,074,175	390,433,393	423,408,776	446,750,907	463,256,421	471,188,313	500,161,579	569,647,097

Sd/- J. M. PYE,

Sd/- J. A. R. LLOYD,

Joint Controllers.

Calcutta, 20th January 1944.

STATEMENT IV.

Statement showing the total number of tea estates registered with the Licensing Committee during each of the years 1933-34 to 1942-43 classified by Provinces and Indian States.

Province or State.	1933-34	1934-35	1935-36	1936-37	1937-38	1938-39	1939-40	1940-41	1941-42	1942-43
Assam	797	843	843	850	861	872	879	880	885	887
Bengal	290	294	306	308	309	316	318	319	314	314
Bihar	7	8	8	8	8	4	4	4	9	9
United Provinces	14	32	38	39	41	41	42	42	42	42
Punjab (Kangra)	9	80	452	595	663	776	865	938	1,001	1,020
Burma	1	1	1	1	Separated from India	...	...	...	...	...
Madras & Coorg	1,837	1,981	2,012	2,321	2,325	2,348	2,416	2,432	2,488	2,494
Total British India	2,955	3,239	3,670	4,122	4,207	4,357	4,524	4,615	4,739	4,766
Tripura State	45	48	50	50	50	54	55	55	55	55
Mandh State	...	...	...	180	201	201	201	201	201	201
Nepal	1	1	1	1	1	1	1	1	1	1
Cochin	3	3	4	4	4	4	4	4	4	4
Mysore	9	9	10	10	11	11	12	12	12	12
Travancore	177	254	697	1,035	1,035	1,230	1,056	1,063	1,069	1,072
TOTAL ALL INDIA	3,190	3,554	4,432	5,392	5,509	5,858	5,853	5,951	6,081	6,111

Sd/- J. M. PYE,

Sd/- J. A. R. LLOYD,

Joint Controllers.

Calcutta, 20th January 1944.

STATEMENT V.

Tea Exports for the year 1941-42.

(Figures represent lbs.)

Reconciliation of Sea and Land exports under Export Licenses with the export quota promulgated by the Government of India for the year ending 31st March 1942.

Tea Shipment for the year 1941-42 recorded by the Director-General of Statistics (Revised) ...			381,951,190	
Add exports: ex. Bombay not yet recorded by the Director-General of Statistics ...	64,355			
Deduct an adjustment to Madras exports not yet recorded by the Director-General of Statistics ...	51	64,304		382,015,494
<hr/>				
Add Tea exports not included by Director-General of Statistics ...				
(1) GOVERNMENT ACCOUNT				
Under Ordinary Licenses ...	3,461,385			
Under Special Licenses 7,736,515				
Deduct Government tea exports ex. Bombay not covered by -Export Licenses 2,043,982	5,692,533	9,153,918		
<hr/>				
(2) Alleppey in Travancore State Tea exports for the year 1941-42 ...			nil.	
(3) Ships Stores. Tea for ships stores in excess of Customs scale for which export licenses have been demanded ...			1,711	
(4) Personal luggage ...			275	
(5) Tea exported by Air ...			10	
(6) Excess tea exported in February 1941 under 1941-42 ordinary licenses ...			41	
(7) Tea exports by ships stores ex. Bombay allowed by Government of India not recorded by Director-General of Statistics and not covered by export licenses... 9,559				
<hr/>				
(8) Gift tea exported under 1941-42 ordinary licenses on account of H. M. A. C. Corfu			1,386	
(9) Tea exports under 1941-42 Ordinary Sold Export License No. J/180 of 24-11-41 issued to Royal Swedish Consulate General			474	
(10) 1941-42 tea exports by Red Cross Commissioner covered by Ordinary Export Licenses ...			302	9,158,117
<hr/>				
Carried over ...				391,173,611

STATEMENT V—(Contd.)

	Brought forward			391,173,611
<i>Deduct.</i> Tea exports included by the Director-General of Statistics.				
(1)	Excess ships stores not covered by Export Licenses and passed under special order of the Collector of Customs ...		25,610	
(2)	North India license shown as unutilised in 1940-41 but was utilised subsequently in 1941-42 by the Commonwealth of Australia from Madras Port ...		108	25,718
				<u>391,147,893</u>
<i>Deduct.</i> 1940-41 tea exported in 1941-42 and included by Director-General of Statistics.				
	Under ordinary licenses {North India	210,900		
	26th—31st March 1941 {South India	4,263,453	4,474,353	
				<u>4,474,353</u>
	Under special licenses 1st {North India	1,157,800		
	April—31st Dec. 1941 {South India	4,327,619	5,485,419	9,959,772
				<u>9,959,772</u>
				<u>381,188,421</u>
<i>Add.</i> Tea exports for 1941-42 included by the Director-General of Statistics in 1942-43.				
	Under ordinary licenses {North India	7,319,089		
	26th—31st March 1942 {South India	2,680,470	9,999,559	
				<u>9,999,559</u>
	Under special licenses 1st {North India	9,436,787		
	April 1942—31st Mar. 43. {South India	7,371,238	16,808,025	26,807,584
				<u>26,807,584</u>
				<u>407,995,705</u>
<i>Add.</i> Overland tea exports to Iran.				
Tea exports for the year 1941-42 as notified by the Customs Officer, Nok—Kundi				
	North India ...	1,973,132½		
	South India ...	303,749	2,276,881½	
				<u>2,276,881½</u>
<i>Deduct.</i> 1940-41 tea exports in 1941-42 under special licenses ...				
		397,753	1,879,128½	
				<u>1,879,128½</u>
<i>Add.</i> Tea exports for 1941-42 exported in 1942-43 ...				
	Under Special Licenses 1st {North India	4,759,855		
	April-30th September 1942 {South India	1,046,168	5,806,023	7,685,151½
				<u>7,685,151½</u>
	Carried over ...			<u>415,680,856½</u>

STATEMENT V—(Contd.)

	Brought forward			415,680,856½
<i>Add.</i>	Tea exports under Postal Export Licenses			
	Under Ordinary Licenses	{ North India	36,665	
	1st April 1941-31st March 1942	{ South India	28,754½	65,419½
	Under Special Licenses			
	1st April-31st March 1943	{ North India	6,450	
		{ South India	687	7,137
				<u>72,556½</u>
				415,753,413
	Overseas export quota Sea Cum-Land to Iran for the year 1941-42 promulgated by the Government of India ...		421,567,207	
<i>Deduct</i>				
	Quota not issued		1,720,869	
	Licenses not issued		2,050,111½	
	Licenses not utilised		2,042,813¾	
			<u>5,813,794</u>	<u>415,753,413</u>

Sd./- J. M. PYE,

Joint Controller.

Calcutta, 15th February 1944.

STATEMENT VI.

Statement of tea exports under Permits.

(Figures represent lbs.)

Destination.	1933-34	1934-35	1935-36	1936-37	1937-38	1938-39	1939-40	1940-41	1941-42	1942-43
French Territories	14,245	26,536	25,837	95,231	177,930	70,293	25,909	13,427	*Nil	*Nil
Portuguese Territories	76,518	150,708	139,295	151,635	142,903	133,399	128,127	66,032	81,709	72,033
Kathiawar State	3,363,628	4,105,336	3,915,761	4,301,020	4,596,497	4,870,164	4,306,001	1,011,955	306,762	325,786
Cutch State	289,587	692,992	546,927	689,133	2,911,851	852,058	169,739	314,367	248,146	1,271,876
Janjira State	51,357	87,394	85,014	97,633	86,512	92,146	80,606	93,882	101,531	70,469
TOTAL	3,795,335	5,062,466	4,712,834	5,384,702	7,915,693	6,018,060	4,710,382	1,499,663	738,148	1,740,164

52

*NOTE.—As a result of the introduction of the French Establishment in India (Application of Laws) Order 1941 no permits were required for the export of tea to French Territories.

On and from 1st July 1942 exports of tea from British Indian ports to Kathiawar ports and the ports of Janjira did not require to be covered by permits from the Indian Tea Licensing Committee as the restriction was withdrawn by the Central Government. The restriction was also withdrawn in the case of Cutch on the 2nd May 1942 and exports of tea from British Indian ports to Cutch as and from that date were not therefore covered by permits from the Indian Tea Licensing Committee.

Sd/- J. M. PYE,

" J. A. R. LLOYD,

Joint Controllers.

Calcutta, 20th January 1944.

STATEMENT VII

Statistics relating to the area of tea in India as returned to the Joint Controllers as at 31st March in each of the years 1934 to 1943.

(Figures represent acres)

Province or State	1934	1935	1936	1937	1938	1939	1940	1941	1942	1943
Assam	443,742.51	443,487.60	443,964.62	444,563.82	442,575.08	442,656.61	441,732.26	441,515.46	442,404.02	443,505.45
Bengal	202,843.69	202,869.02	202,834.79	202,874.85	202,800.87	202,922.18	202,802.23	202,862.03	203,048.26	203,035.66
Bihar	3,820.24	3,820.24	3,820.24	3,820.24	3,820.24	3,820.24	3,820.24	3,820.24	3,820.24	3,820.24
United Provinces	6,463.13	6,463.13	6,463.13	6,463.13	6,488.74	6,461.55	6,474.55	6,474.55	6,474.55	6,473.55
Punjab (Kangra Valley)	9,513.08	9,513.08	9,513.08	9,513.08	9,616.82	9,601.62	9,601.62	9,601.62	9,601.62	9,601.62
Burma	355.00	355.00	355.00	355.00	355.00	355.00	355.00	355.00	355.00	355.00
Madras	77,447.61	77,636.07	77,774.60	77,788.03	77,721.99	77,783.38	77,843.63	77,924.25	78,085.64	78,040.17
Coorg	415.47	415.47	415.47	415.47	415.47	415.47	415.47	415.47	415.47	415.47
Total British India	744,605.73	744,559.61	745,160.93	745,793.62	743,439.21	743,661.05	742,710.00	742,613.62	743,789.80	744,392.16
Tripura State	10,442.77	10,443.27	10,443.27	10,373.59	10,376.87	11,071.82	11,226.36	11,277.44	11,366.86	11,500.61
Mandi State	1,059.73	1,059.73	1,059.73	1,059.79	1,059.73	1,059.73	1,059.73	1,059.73	1,059.73	1,059.73
Nepal	300.00	300.00	300.00	300.00	300.00	300.00	300.00	300.00	300.00	300.00
Cochin	1,678.84	1,678.84	1,678.84	1,678.84	1,678.84	1,673.59	1,673.59	1,673.59	1,673.59	1,673.59
Mysore	4,208.57	4,208.57	4,208.57	4,208.57	4,208.57	4,208.57	4,196.57	4,196.57	4,196.57	4,196.57
Travancore	78,726.39	78,759.10	78,807.65	78,958.12	78,623.36	78,638.95	78,837.49	78,924.91	78,908.91	78,923.26
TOTAL ALL INDIA	841,022.03	841,009.12	841,658.99	842,372.47	839,685.58	840,613.71	840,003.74	840,045.86	841,295.46	842,545.92

Sd/- J. M. PYE

Sd/- J. A. R. LLOYD

Joint Controllers.

Calcutta, 20th January 1944.

STATEMENT VIII.

A note on the area of tea under cultivation in India as at 31st March 1943,
Province by Province showing (I) mature tea (II) young areas
(III) land lying fallow and (IV) land lying abandoned.

(Figures represent acres.)

AS AT 31ST MARCH 1943.

Province or State.	Mature Tea.	Young Tea.	Lying fallow.	Lying abandoned.
Assam	340,276·00	96,742·85	6,486·60	29,705·48
Bengal	174,416·73	26,979·22	1,639·71	3,671·42
Bihar	2,765·24	1,055·00	nil	12·38
United Provinces	6,166·04	283·51	24·00	204·92
Punjab	9,594·62	7·00	nil	nil
Madras	47,872·65	30,167·37	·15	nil
Coorg	415·47	nil	nil	nil
<i>Total British India</i>	581,506·75	155,234·95	8,150·46	33,594·20
Tripura State	5,376·59	6,120·62	3·40	559·68
Mandi State	1,059·73	nil	nil	nil
Nepal	231·00	69·00	nil	nil
Cochin	622·40	1,051·19	nil	nil
Mysore	466·59	3,729·98	nil	nil
Travancore	50,408·05	28,484·21	31·00	nil
TOTAL ALL INDIA	639,671·11	194,689·95	8,184·86	34,153·88

Sd/ J. M. PYE,

„ J. A. R. LLOYD,

Calcutta, 18th March 1944.

Joint Controllers.

STATEMENT IX.

Statement of Tea Nursery Areas

(Figures represent acres)

Province or State.	Recorded at 31-3-33.	Recorded at 31-3-34.	Recorded at 31-3-35.	Recorded at 31-3-36.	Recorded at 31-3-37.	Recorded at 31-3-38.	Recorded at 31-3-39.	Recorded at 31-3-40.	Recorded at 31-3-41.	Recorded at 31-3-42.	Recorded at 31-3-43.
Assam	1,671.56	1,692.14	1,989.542	1,935.232	1,571.128	1,437.157	1,515.45	1,490.72	1,546.06	1,447.32	1,354.91
Bengal	363.94	391.31	428.030	409.542	332.407	309.886	320.72	330.08	365.35	333.05	326.09
Bihar	10.53	12.78	11.690	9.310	7.040	5.140	2.38	2.23	1.13	3.33	4.18
United Provinces	2.33	2.33	1.950	1.870	1.920	2.380	3.26	3.71	2.94	2.64	2.07
Punjab (Kangra Valley)	.73	.63	.718	.941	1.337	1.337	1.34	1.34	1.34	1.34	1.34
Madras	197.32	143.50	152.650	110.400	74.280	58.090	58.46	58.92	56.46	50.99	53.76
Coorg	1.00	1.00	.640	.400	.230	...	...	...	...	.40	...
Burma	.44	.69	.750	.750	...	...	...	...	...	...	...
Total British India	2,247.85	2,244.38	2,585.970	2,468.445	1,989.342	1,814.690	1,901.61	1,887.00	1,973.28	1,839.07	1,742.70
Tripura	68.51	68.04	77.887	64.606	59.568	63.077	65.61	69.26	76.42	85.86	63.80
Cochin	4.62	4.80	2.650	3.610	4.070	7.650	7.41	7.32	0.73	1.36	.72
Mysore	10.35	8.98	8.280	3.260	5.810	2.000	2.23	5.75	7.09	10.18	9.93
Travancore	147.01	128.57	125.070	126.560	113.190	101.900	96.95	98.65	86.17	90.26	72.49
TOTAL ALL INDIA	2,478.34	2,454.77	2,799.857	2,666.481	2,171.980	1,989.317	2,073.81	2,067.98	2,143.69	2,026.73	1,889.64

Sd/- J. M. PYE,

Sd/- J. A. R. LLOYD,

Joint Controllers.

Calcutta, 20th January 1944.

STATEMENT X.

Permits issued for planting tea on virgin soil under Sections
26 and 27 of the Indian Tea Control Act, 1938.

(Figures represent acres.)

Province	District	Permits sanctioned	Provincial Total	Grand Total
		1939-40		
Assam	Cachar	27·00	2,148·00	
	Darrang	163·00		
	Kamrup	37·00		
	Lakhimpur	683·00		
	Nowgong	21·00		
	Sibsagar	943·00		
	Sylhet	324·00		
Bengal	Darjeeling	33·00	317·00	
	Docars	149·00		
	Chittagong	135·00		
Madras	...	304·32	304·32	
Travancore State	...	289·64	289·64	3,058·96
		1940-41		
Assam	Darrang	4·00	4·00	
Bengal	...	Nil	Nil	
Madras	...	0·24	0·24	
Travancore State	...	0·11	0·11	4·35
		1941-42		
Assam	Sibsagar	25·00	25·00	
Tripura State	...	252·00	252·00	277·00
		1942-43		3,340·31
Nil	Nil	Nil	Nil	3,340·31

STATEMENT XI.

Permits issued for planting tea on virgin soil in replacement under
Section 29 of the Indian Tea Control Act, 1938.

(Figures represent acres.)

Province.	District.	Permits sanctioned under sub-section.		Provincial Total under sub-section.		Grand Total under sub-section.		Grand Progressive Total.
		1(a)	1(b)	1(a)	1(b)	1(a)	1(b)	
Assam	Cachar	585.30	Nil	<u>1939-40</u>				
	Darrang	299.03	8.16					
	Lakhimpur	22.68	Nil					
	Sibsagar	8.70	5.06					
	Sylhet	165.69	Nil	1,081.40	13.22			
Bengal	Darjeeling	1.25	.17					
	Dooars	111.75	14.14	113.00	14.31			
Travancore State	...	Nil	4.75	Nil	4.75	1,194.40	32.28	1,226.68
Assam	Cachar	818.84	Nil	<u>1940-41</u>				
	Darrang	2.25	Nil					
	Lakhimpur	.36	Nil					
	Sylhet	112.76	Nil	434.21	Nil			
	Darjeeling	.33	Nil	.33	Nil			
Bengal	Darjeeling							
Travancore State	...	Nil	6.04	Nil	6.04	434.54	6.04	440.58
						1,628.94	38.32	1,667.26
Assam	Cachar	171.28	Nil	<u>1941-42</u>				
	Darrang	2.60	Nil					
	Sibsagar	3.40	Nil					
	Sylhet	75.48	Nil	252.76	Nil			
	Darjeeling	.77	Nil					
Bengal	Dooars	1.70	19.32	2.47	19.32			
Travancore State	...	6.07	4.95	6.07	4.95	261.30	24.27	285.57
Assam	Cachar	33.14	Nil	<u>1942-43</u>				
	Lakhimpur	Nil	50.00					
	Sibsagar	3.00	Nil					
	Sylhet	11.01	2.96	47.15	52.96			
	Darjeeling	19.84	Nil					
Bengal	Terai	14.00	Nil					
	Dooars	70.46	Nil	104.30	Nil			
Travancore State	...	Nil	.53	Nil	.53	151.45	53.49	204.94

Sd./- J. M. PYE,

" J. A. R. LLOYD,

Joint Controllers.

Calcutta, 12th February 1944.

STATEMENT XII

STATEMENT OF ACCOUNTS

BALANCE SHEET as

LIABILITIES.	Rs. as. p.	Rs. as. p.
DEPOSITS—Against fees for Export License ...	...	1,468 13 6
DEPOSITS—Against Assessment of Estates ...	...	250 0 0
SURPLUS—Refundable excess receipts due to Tea Estates ...	...	331 11 5
SUNDRY CREDITORS ...	...	13,118 2 3
BALANCE—		
Surplus as per last account ...	1,31,019 3 6	
Less—Deficit in Income and Expenditure Account ...	34,927 11 2	
		96,091 8 4
TOTAL Rs. ...	...	1,11,260 3 6

We have audited the Balance Sheet of the Indian Tea Licensing Committee, dated 31st March 1943, as above set forth, with the books, documents and vouchers produced to us. We have received all the information and explanations that we have required. In our opinion the Balance Sheet is properly drawn up so as to exhibit a true and correct view of the state of the Licensing Committee's affairs according to the best of our information and the explanations given to us and as shown by the books of the Committee.

CALCUTTA,
11th February, 1944.

LOVELOCK & LEWES,
Chartered Accountants.
Registered Accountants.

at 31st March, 1943.

ASSETS:		Rs. as. p.	Rs. as. p.
FURNITURE AND EQUIPMENT—			
Northern India—			
Expenditure to date	.... 5,100 5 1		
Less—Depreciation to date	.... 5,000 5 1		
		100 0 0	
Southern India—			
Expenditure to date	.... 3,150 15 3		
Less—Depreciation to date	... 3,050 15 3		
		100 0 0	
			200 0 0
SUNDRY DEBTORS—	...	...	19,770 0 6
EXPENDITURE ON EMERGENCY TEA CONTROL SCHEME	...	...	59 4 0
FIXED DEPOSIT WITH NATIONAL BANK OF INDIA LD.	...	...	75,000 0 0
CASH—			
With Imperial Bank of India, Calcutta	....	18,292 0 4	
With Imperial Bank of India, Madras	...	2,050 14 8	
With Imperial Bank of India, Madras a/c 2	...	740 1 7	
With Joint Controller, North India	....	190 11 3	
With Joint Controller, South India	...	254 6 10	
		16,528 2 8	
Less—Due to Bengal Chamber of Commerce	...	297 3 8	
			16,230 15 0
TOTAL Rs.	...	...	1,11,260 3 6

D. C. FAIRBAIRN,

Secretary.

L. B. GREEN,

Chairman.

INCOME and EXPENDITURE ACCOUNT

EXPENDITURE.	Northern India.			Southern India.			General.			Total.		
	Rs.	as.	p.	Rs.	as.	p.	Rs.	as.	p.	Rs.	as.	p.
To OFFICE RENT ...	3,240	12	0	1,200	0	0	...	...	...	4,440	12	0
„ ESTABLISHMENT ...	57,362	9	0	34,948	5	0	...	...	...	92,310	14	0
„ CHAIRMAN'S SALARY AND EXPENSES ...	...	...	...	...	...	...	12,007	2	0	12,007	2	0
„ ESTATE INSPECTION EXPENSES ...	2,746	12	0	...	...	...	...	...	...	2,746	12	0
„ TRAVELLING ...	782	7	0	2,666	1	0	...	...	...	3,448	8	0
„ INTERNATIONAL TEA COMMITTEE, LONDON ...	...	...	...	...	...	...	24,951	3	0	24,951	3	0
„ FEES FOR SECRETARIAL WORK ...	...	...	...	...	...	...	21,000	0	0	21,000	0	0
„ FEE FOR AUDIT OF ACCOUNTS ...	...	...	...	...	...	...	300	0	0	300	0	0
„ DEPRECIATION ON FURNITURE ...	...	...	...	78	5	6	...	...	...	78	5	6
„ CONTRIBUTION TO BONUS SCHEME ...	...	...	...	...	...	...	4,870	13	4	4,870	13	4
„ LEGAL CHARGES RE: APPEAL CASES ...	21,380	3	0	...	...	...	...	...	...	21,380	3	0
„ MISCELLANEOUS—												
Printing ...	5,472	12	0	2,539	6	0	2,532	5	0	10,544	7	0
Stationery ...	2,133	15	6	645	5	3	72	13	0	2,852	1	9
Telephone ...	372	3	0	196	0	0	304	0	0	872	3	0
Postages ...	2,938	9	9	1,997	14	6	1,204	13	0	6,141	5	3
Telegrams ...	771	2	6	185	10	0	...	...	...	956	12	6
Advertising ...	1,525	6	0	100	0	0	...	...	...	1,625	6	0
General Charges ...	1,195	12	9	326	12	0	170	10	0	1,693	2	9
Legal Charges ...	3,157	0	0	1,242	2	0	...	...	...	4,399	2	0
Periodicals, Statistics, etc.	23	4	0	1	8	0	...	...	...	24	12	0
TOTAL Rs ...	1,03,102	12	6	46,127	5	3	67,413	11	4	2,16,643	13	1

We have examined the foregoing Income and Expenditure Account for the year ended 31st March 1943. In accordance with the powers conferred upon us by Section 8(2) of the Indian Tea Control Act 1938, we beg to report that in our opinion the payments made as shown above have been expended entirely in pursuance of the purposes of that Act.

CALCUTTA,
11th February, 1944.

LOVELOCK & LEWES,
Chartered Accountants.
Registered Accountants.

for the year ended 31st March, 1943.

	Northern India.	Southern India.	General.	Total.
INCOME.	Rs. as. p.	Rs. as. p.	Rs. as p.	Rs. as. p.
By FEES FOR EXPORT LICENSES levied and Permits issued under Clause (a) of Section 22(1)	1,48,669 10 0	32,403 6 0	...	1,81,073 0 0
„ FEES FOR QUOTA STATEMENT received under Clause (c) of Section 22(1) ...	114 11 0	41 0 0	...	155 11 0
INTEREST ... ..	...	...	487 6 11	487 6 11
„ DEFICIT IN INCOME AND EX- PENDITURE ACCOUNT ...	...	...	...	34,927 11 2
TOTAL Rs. ...	1,48,784 5 0	32,444 6 0	487 6 11	2,16,643 13 1

D. C. FAIRBAIRN,

Secretary.

L. B. GREEN,

Chairman.