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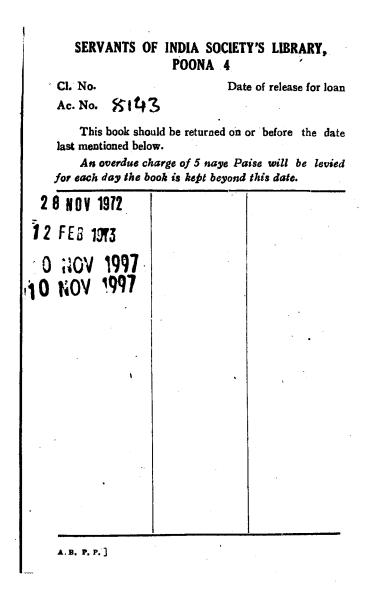
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THE EVOLUTION OF THE INDIAN INCOME TAX

THE EVOLUTION OF THE INDIAN INCOME TAX

BY

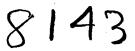
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▼ .

PREFACE

THE object of the present volume is to trace the history of income tax in India from 1860 onwards. to study the existing system and to offer some criticisms derived from a comparative study of British and Indian income tax laws. So far as the present writer is aware, no comprehensive and critical account of the Indian income tax has previously been written. The reasons for this lack of interest in the subject are not far to seek. Income tax, until very recent times, has had an uneventful career. No acute political controversies, such as marked the vicissitudes of the customs revenue in India in the 'seventies and the 'eighties of the last century, nor such subtle theoretical discussions as have attended the chequered career of the Indian land revenue, have disturbed the even tenor of its life. Then, again, until the outbreak of the last European War, income tax occupied an unimportant place in Indian budgets.

The changes brought about by the war have now given this source of revenue a much more important position in the Indian fiscal system. It is, therefore, fitting that the tax should be subjected to a critical examination. We need to study the considerations which from time to time impelled the Government of India to effect changes either in the scope of the tax or in the methods and machinery of its assessment. We need also to explore the possibilities of removing inequalities and of increasing the yield of the tax in the future, without inflicting injustice or hardship on the tax-payers.

PREFACE

In the preparation of this volume the writer has utilized the records and papers available in the *India* Office and also in the British Museum. He desires to acknowledge with gratitude the many helpful suggestions which he has received from Dr. Hugh Dalton, now Parliamentary Under-Secretary for Foreign Affairs, and Dr. Gilbert Slater. It must be added that neither of these gentlemen is responsible for the views expressed or for the statements made, for which the writer takes full responsibility.

J. P. N.

London School of Economics And Political Science, June, 1929.

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CONCLUSION

to alienate public opinion than the belief that the income tax is unequal in its incidence and that it operates as a tax on honesty. It is suggested in the course of this study that, by suitable modifications in the existing law and practice the yield of the tax could be increased without imposing hardship on the honest tax-payers. At the same time stress is laid on the fact that while legal and administrative rules are useful in their own way for preventing leakage of revenue, they become more effective if they are backed by a healthy and powerful public opinion. The co-operation of all right-thinking citizens is, therefore, needed in the difficult task that lies before the revenue authorities.

APPENDIX A

STATEMENT SHOWING THE NUMBER OF PERSONS ASSESSED AND AMOUNTS REALIZED UNDER[®] ACT XXXII, 1860, EXCLUSIVE OF DEDUCTIONS FROM THE SALARIES OF GOVERNMENT SERVANTS (*Vide* APPENDIX 20, SELECT COMMITTEE ON EAST INDIAN AFFAIRS, 1872)

	186	0 I .	186	1-2.	1862-3.			
_	No.	Rs.	No.	Rs.	No.	Rs.		
Bengal Madras Bombay . N.W.P The Punjab Oudh Brit. Burma C.P	276,482 98,461 212,262 183,577 (b) (d) 26,735 (e) 19,391 (f) 25,606	6,374,741 1,252,827 3,196,237 3,269,950 401,911 280,298 234,758 228,003	278,482 139,529 218,968 200,493 (c) 76,034 44,238 33,102 (f) 26,192 1,017,038	5,791,963 1,672,486 3,410,290 3,243,514 703,741 346,433 234,964 337,680	72,544 85,029 43,341 41,055 (c) 53,453 3,355 5,660 308,400	4,565,267 1,352,666 3,292,066 2,271,263 434,364 395,285 131,512 265,305		

(b), (c), (d), (e), (f).—See Notes on opposite page.

APPENDICES

APPENDIX A—continued.

	18	63-4-	18	64 -5 .	Т	otal.
	No.	Rs.	No.	Rs.	No.	Rs.
Bengal Madras Bombay . N.W.P The Punjab Oudh Brit. Burma C.P	69,140 39,606 45,288 39,905 13,621 1,607 2,179 (g) 5,660	3,249,514 1 897,288 2,788,451 1,660,029 367,717 257,241 99,407 187,098	64,210 37,552 47,400 38,847 (c) 24,514 1,539 3,172 (g) 5,660	3,033,201 861,496 3,235,810 1,591,453 413,824 234,921 87,102 365,073	400,177 567,259	1,514,178 787,743
	217,006	9,506,745	222,894	9,822,880	2,607,852	63,017,149

- (b) Not given by the Punjab Government.
- (c) Apparently includes Government servants. The Local Governments do not show the two classes separately.
- (d) The number of persons assessed is not given for three districts in Oudh: the records of two districts appertaining to I.T. assessment under Act XXXII of 1860 were destroyed by white ants, and those of another were either sold or destroyed in 1865 as old and useless records.
- (e) In some districts in British Burma collection for certain years cannot be ascertained.
- (f) The figures are not accurate as they include double and triple enumeration of the same person when assessed under more than one schedule.
- (g) Information as to number of persons assessed in 1863-4, 1864-5 is wanting.

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APPENDIX B

STATEMENT SHOWING THE NUMBER OF PERSONS ASSESSED AND THE AMOUNTS REALIZED UNDER ACTS XXI AND XXVII OF 1867, EXCLUSIVE OF DEDUCTIONS FROM THE SALARIES OF GOVERNMENT SERVANTS FOR THE YEAR 1867-8

	en Rate «	Ra.25,000 d up. of Tax 1.500.	25 and 1	Rs. 20,000 ens them 1,000. -Ks. 200.	thas	o and less 10,000. -Ka.100.	thes	and less 5,000. -Ks.20.	than	aud iens 1,000, -Ks. 10,	Cuas	and less 1 500 -Ks.4.	Τ¢	TAL.
	No.	Are Ra	Xa.	Amt. Rs.	No.	Amt. He.	No.	And. Re.	No.	Asst. Re.	No.	And Rs.	No.	And. Ks.
Sengel	404	238,339	931	168,196	2,486	324,138	14,311	255.508	25,095	230,017	150,873	585,099	194,100	1,701,297
fadma	36	20,013	160	28,247	720	65.980	5.525	101,310	15,613	149.467	94,943	376,080	116,975	743,046
Southay	19	11,000	90	18,000	1.387	279,518	14,055	309.399	30.413	245,031	135,681	541,816	181,645	1,404.364
s.w.p	79	39,000	275	\$2,280	951	y1,460	\$,023	157/918	E8,555	151,899	101,509	377.778	129,358	920,329
The Punjab .	50	5,000	39	7,800	221	22,120	3,504	50,078	7.772	79.471	59.482	33*,043	70.248	403,011
· · · ether	1	500	21	4,300	87	8,700	737	\$4.740	1,721	17,210	14.563	58,252	17,130	103,601
Ritish Burns .	10	5,161	27	3.377	321	6,531	946	16,548	5.905	50/132	13,797	45.146	20,916	127,415
entesi Provision	. Esen	octed from	licence	tax, being	subject (to Passibar	i tax under	Ast XIV	of 1867. 1	See Financia	al Notzficat	478 1397 of	sta April,	1867.
•	558	319,013	1,543	282,150	6,173	678,047	46,101	905.401	105.340	954,227	570.757	2,242,237	730,422	5,401,06

APPENDIX C

STATEMENT SHOWING THE NUMBER OF PERSONS ASSESSED AND THE AMOUNTS REALIZED, EXCLUSIVE OF CONTRIBUTIONS FROM THE SALARIES OF GOVERNMENT SERVANTS • DURING 1868-9 UNDER THE CERTIFICATE TAX ACT

	Profite	CLASS I. Profits 4 lakhs up. Tan—Rs.6,400.		CLASS II. Profits 5 lakhs, less than 4 lakhs. Taz-Re.3,800.		CLASS III. Profits 3 lakh, less than 5 lakhs, Tax—Rs.1,600.		CLASE IV. Profits Rs. 50,000, lass than 1 lakh. Tax-Ra.800.		ASS V. 18.55,000, 1885 1 50,000, -Rs.400,	CLASS VI. Profits Rs. 15,000, les \$5,000, Taz-Rs. 200.		
	No.	Amt. Re.	No.	Amt. Rs.	No.	Amt. Rs.	No.	Amt. Re.	No.	Amt, Rs.	No.	Amt. Re.	
Bengal	3	19,200	6	19,200	35	56,000	99	79,200	261	104,400	695	111,120	
Madras	-	-	I	3,200	4	6,400	8	4,800	50	19,102	203	31,175	
Bombay	4	2,000	2	242	59	141,818	2	1,600	674	189,826	116	18,619	
N.W.P	_	_	1	3,200	5	8,000	12	9,600	62	24,620	245	38,312	
The Punjab	_	_	-	-	-	-	1	800	13	5,200	30	5,760	
Oudh		_	-	-	-	·	-	-	5	2,000	25	4,000	
British Burma	7	6,900	8	3,525	41	2,320	191	7,042	12	4,130	30	4,645	
С.Р		-	-	-	-	-	9	7,200	14	4,955	74	10,582	
	14	28,100	18	29,367	144	214,538	322	110,242	1,091	354,239	1,424	224,213	

	Profit Rs.5	ss VII. ,000, less than ,000. —Rs.80.	Profits Rs.: 5	CLASS VIII. Profits Rs.2,500, less than 5,000. TaxRs.40.		ass IX. 1,000, less than 2,500. Rs.16.	Profits Rs.	ss X. 500, less than 000. —Rs.8	Total.		
•	No.	Amt. Rs.	No.	Amt. Rs.	No.	Amt. Rs.	No.	Amt. Rs.	No.	Amt. Rs.	
Bengal	1,485	118,580	3,844	153,620	14,023	224,240	46,940	375,046	67,391	1,260,606	
Madra s	635	48,133	1,875	70,622	6,695	103,956	24,124	190,104	33,595	477,492	
Bombay	523	41,539	7,870	252,061	8,059	128,856	41,107	327,496	58,416	1,104,057	
N.W.P	659	51,734	1,733	68,623	6,85r	109,224	24,726	195,041	34,294	508,354	
The Punjab	151	12,080	562	22,480	3,068	49,088	13,907	111,250	17,738	206,658	
Oudh	. 70	5,292	222	9,105	777	12,751	2,295	18,600	3,394	51,748	
British Burma .	50	3,642	523	15,848	838	13,521	4,207	25,827	5,907	87,406	
С.Р	140	9,869	456	17,031	1,457	22,416	3,369	26,164	5,519	98,217	
•	3,713-	290,869	17,085	609,390	41,768	664,052	160,635	1,269,528	226,254	3,794,538	

APPENDIX C-continued.

APPENDIX D

STATEMENT SHOWING THE NUMBER OF PERSONS ASSESSED AND THE AMOUNTS REALIZED [•] DURING 1869–70, EXCLUSIVE OF DEDUCTIONS FROM SALARIES OF GOVERNMENT SER-VANTS

	Income	ASS I. Rs.500, less 1 1,000.	Income	.ASS II. 28 Rs.1,000, han 2,000.	Income	ASS III. 28 Rs.2,000, 28 n 10,000.	Rs. 10,	LASS IV. 000, less than 1 lakh.	z lak	CLASS V. h rupees and upwards.	1	COTAL.
	No.	Amt. Rs.	No.	Amt. Rs.	No.	Amt. Rs.	No.	Amt. Rs.	No.	Amt. Rs.	No.	Amt. Rs.
Bengal	142,947	1,335,392	26,200	502,919	16,691	890,949	2,508	864,945	180	735,497	188,526	4,329,702
Madras	46,039	394,859	9,398	169,138	4,820	215,008	415	109,809	22	128,937	60,694	1,017,751
Bombay	79,371	5 ⁸ 5,434	37,127	~ 413,659	14,749	532,570	1,456 I	356,187	208	366,187	132,911	2,254,037
N.W.P	54,143	487,900	12,359	240,785	7,107	362,031	838	237,060	21	36,137	74,468	1,363,913
The Punjab	25,229	254,908	5,280	105,608	2,031	105,898	158	46,468	2	5,161	32,700	518,043
Dudh	7,159	76,567	1,475	28,643	998	41,889	434	57,398	386	97,572	10,452	302,069
British Burma	7,505	56,897	1,191	19,525	569	25,208	279	23,249	10	24,591	9,554	149,470
C.P	8,035	80,290	2,578	53,285	1,415	77,103	154	41,246	7	15,553	12,189	267,477
	370,428	3,272,247	95,608	1,533,562	48,380	2,250,658	6,242	1,736,362	836	1,409,635	521,494	10,202,462

APPENDICES

APPENDIX E

STATEMENT SHOWING NUMBER OF INCOME-TAX ASSESSEES AND THE AMOUNT OF ASSESSMENT, 1900-1 TO 1915-16

.

	Years.	Original No. of Assessees.	Final No. of Assessees,	Petitions and Objec- tions.	Original Demand. Rs.	Final Demahd. Rs.
Bengal {	1900–1 1905–6 1910–11 1915–16	121,128 42,648 49,578 54,878	116,720 40,875 48,837 54,176	5,994 6,031	4,888,591 4,275,166 5,040,538 6,552,140	4,657,149 3,867,133 4,966,362 6,481,642
North- West Province	1900–1 1905–6 1910–11 1915–16	71,085 29,620 32,095 36,187	68,696 28,556 31,153 35,288	2,510 2,632	2,262,428 1,785,979 2,027,927 2,392 335	2,143,368 1,722,334 1,948,894 2,319,667
Bombay {	1900–1 1905–6 1910–11 1915–16	86,806 44,377 51,220 68,056	82,317 42,632 48,997 65,082	20,101 10,163 13,552 17,678	4,264,561 3,466,872 4,939,251 7,7 ⁸ 9,070	3 ,335,849 3,312,171 4,568,520 6,769,756
Madras	19001 19056 191011 191516	86,794 41,482 47,702 56,541	84,047 40,258 46,585(<i>a</i>) 55,245(<i>a</i>)	13,283 12,644		2,430,888 2,333,432 2,740,284(b) 3,472,679(b)

(a) These figures do not include Government servants and holders of securities.

N.B.—The number of petitions and objections include those before the Collector as well as the Commissioner.

(b) The figures are exclusive of the tax realized from salaries of Government servants and also from interest on Government securities.

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APPENDIX F

RECEIPTS FROM SUPER-TAX DURING 1922-3 TO 1926-7

	Year		J		ections from adividuals.		ections from ompanies.		ections from gistered Firms.		lections from Hindu Families,		Total.
				No.	Amount in Rs.	No.	Amount in Rs.	No.	Amount in Rs.	No.	Amount in Rs.	No.	Amount in Rs.
1922-3				1,345	22,889,810	854	36,195,564	445	6,119,069	300	5,879,374	2,944	71,083,817
923-4			•	1,546	21,820,473	944	32,691,414	422	3,680,814	264	3,058,540	3,176	61,251,241
924-5	•			1,527	16,347,410	908	26,295,667	381	3,195,359	277	2,462,398	3,093	48,300,834
925-6	•	÷		1,380	14,727,440	889 -	27,563,337	409	2,881,648	278	1,962,223	2,956	47,134,648
1926–7	-			1,521	16,688,865	848	25,572,468	389	3,155,212	251	1,898,122	3,009	47,314,667

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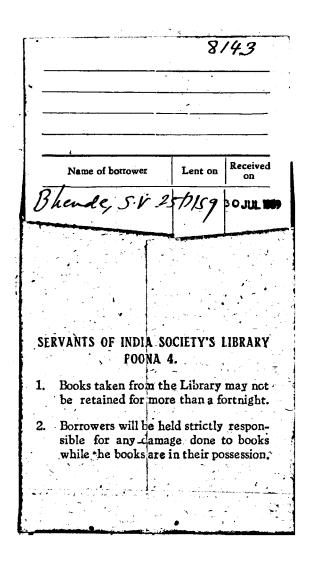
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depression and the resulting loss of custom and diminution of profits. It was therefore an act of injustice to single out the trading community for extra taxation precisely at a time when its margin of profit was bound to fall. As a matter of fact, as we shall see later on, a considerable amount of the discontent to which the Provincial licence taxes gave rise, was based upon the inequitable distribution of the burden of taxation.

The draft bill proposed to fix the maximum fee at Rs.200 only, but as an objection was raised that the tax let off the richer classes lightly the maximum was raised to Rs.500 a year. The Act divided the licensees into three classes, each class again being subdivided into grades. The basis of classification was the nature of occupations and the probable income of the assessees. The first class included, among others, companies registered under the Indian Companies Act, 1866, owners of cotton screws, persons keeping shops for the sale of European goods, sugar and tea manufacturers, etc. There were four grades of persons in the first class, paying according to their incomes fees of Rs.500, 200, 150, and 100 respectively. The second class included a variety of heterogeneous occupations, e.g., cloth sellers, druggists and dealers in elephants, and also persons specified in the first class whose incomes were not so large as to warrant their inclusion in that class. There were four grades in the second class, viz., those paying taxes of Rs.75, 50, 25 and 10 a year. The third class included occupations not specified in the first two classes and was divided into three grades paying Rs.5, 2 and RI respectively. Any person could have the fee charged against him remitted or reduced, on proving that the incidence was higher than 2 per cent. on his annual earnings.¹ Under section 26 of the Act the Provincial . Government were empowered to exempt any person whose net annual income was less than such sum as the Provincial Government might from time to time fix. It was the intention of the Government to exempt persons drawing less than Rs.100 a year. It will be noticed that the lowest

¹ Section 13, Act II of 1878.

Here again this liberal policy was the outcome of surplus amounting to £948,700 anticipated during 1903-4. It was therefore proposed to utilize this surplus in the remission of taxation as far as practicable and, for the first time since 1882, the Government felt themselves justified in affording substantial relief to the poorer class of tax-payers. The form which this relief took was the reduction of duty on salt throughout British India (except Burma), and the exemption of all incomes below Rs.1,000 a year from the income tax. The total loss of revenue resulting from these two reductions was estimated at $f_{1,393,000}$, the reduction of income tax being responsible for $f_{240,000}$. In proposing to raise the exemption limit Sir Edward Law ¹ observed :

"We have reason to fear that it is in the lower categories of incomes that hardship is perhaps felt in the matter of inquisitorial proceedings on the part of assessors who possibly sometimes fix assessments at unjustifiably high rates, and we hope by raising the limit of taxation to greatly reduce and simplify the work of assessment."²

The raising of the exemption limit from Rs.500 to Rs.1,000 at one stroke diminished the number of assessees by more than half. The total number of assessees was 527,397 in 1902-3. It was reduced to 237,523 in 1903-4 with disproportionately little loss of revenue, for the yield of the tax fell from Rs.21,000,000 to Rs.18,200,000 during the same period. While the total number of assessees was reduced it was, however, noticed that there was a tendency towards a relative increase in the number of persons who now formed the lowest grade of income tax assessees, namely, those in the grade of Rs.1,000-1,250. This may be illustrated from the following figures relating to Bengal and Burma.³

¹ Sir Edward Fitzgerald Law (1846-1908) had a chequered career. He joined the Indian army in July, 1868, but left after a service of four years. He then went into business. Forced to abandon it by the conduct of his partners, he joined an English firm of Russian merchants. He acted as Consul at St. Peterburg, and also as commercial and financial attaché for Russia, Persia and the Asiatic Provinces of Turkey. In March, 1900, he was appointed Finance Member of the Viceroy's Council. He resigned ¹¹ whe up matrix in January, 1905.
² Financial Statement, 1903-4.
³ These figures relate to Part IV of the second schedule to Act II of

1886.

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