M.R.O. 14—10,000—21-4-22.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 2023 Press Mis.

21-22

Dated 1—11— 1860.

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department, 1st November 1860.

No. 21. Read the following letter from Reverend J. RICHARDS, M.A., to T. PYCROFT, Esq., Chief Secretary to Government, dated Saint Thomas' Mount, 19th October 1860, No. 33 :—

SIR,

1. I have the honor to forward, with a request that you will be good enough to submit to the consideration of Government, my Pay Abstract for the past month, from which it will appear that the sum of Rupees 12-4-0 (or Rupees 11-10-10 as the case may be) has been unjustly and illegally stopped from my pay.

2. It will be seen that the sum of Rupees 294, the equivalent of £29-8-0, has been deducted on account of money advanced to me in England. I beg distinctly to state that I am legally indebted to the Government only in the sum of £28-3-6, and that therefore the sum of £1-4-6, or its equivalent, Rupees 12-4-0, has been illegally stopped.

3. On leaving England, having applied to the Government for an advance, I was permitted to draw in advance, three months' furlough allowance, commencing from August 1st, from which however an Income Tax of 10*d.* in the pound on the whole amount was deducted. But my furlough allowance *terminated* on the 6th September, the date of my landing in India ; accordingly, I was then indebted to the Government in the sum of £29-8-0, fifty-six days' allowance *overdrawn, less* Income Tax on that amount which had been *overpaid*. The Civil Auditor, in deducting the whole sum of £29-8-0, compels me to pay Income Tax on *income which has never accrued*. I cannot conceive that the Government will sanction so wrongful and palpably illegal a proceeding.

4. But taking another view of the case, I submit that I am liable to pay Income Tax only on pay *actually drawn* from the Treasury. Now although Indian pay to the amount of Rupees 583-5-4 was due to me on the 30th September, I am only entitled to draw, and *I do only draw* the sum of Rupees 289-5-4, the sum of Rupees 294 having been already drawn in advance, and *the Income Tax paid thereon*. I submit then, that I am now liable to pay Income Tax only on Rupees 289-5-4, the sum actually disbursed from the Treasury. On thisview of the case, an over-deduction of Rupees 11-10-10 has been made as per margin. To compel me now to pay the tax on the whole amount Rupees 583-5-4, is in fact, to compel me to pay a *double Income Tax*, which the Secretary of State for India has again and again distinctly repudiated in his place in Parliament, as the intention of Government.

	RS.	A.	P.
Income Tax on Rupees 583-5-4 *as deducted*	23	4	0
Do. on Rupees 289-5-4 *legally due*...	11	9	2
Total...	11	10	10

5. I respectfully solicit therefore, that the Civil Auditor be instructed to re-audit my Pay Abstract; or, if there be still any doubt on the matter in question, that the deduction from my salary on account of the advance made to me in England be deferred, pending a trial now proceeding in the Courts of Law as to the legal rights of the Government in *any case* to demand a double Income Tax on the same income.

No. 22. ORDER THEREON, 1st November 1860, No. 2,023.

Ordered to be referred to the Civil Auditor for report.

(Signed) C. G. MASTER,
Deputy Secretary to Government.

Revenue
~~Finl~~ 1860 Dept
Pro: of Govt for Nov:
No 2385

From

The Revd J. Richard.
M.A.

Rd. 19th } Octr 1860.
Rf. 26th }

No 559.

Requests that the Civil Auditor be instructed to re-audit his Pay Abstracts as he compels him to pay Income Tax on income which has never accrued, which, he states, is tantamount to demanding a Double Income Tax on the same income.

No 2023. 1st Novr
Will an order

No 2023
Ordered to be
referred to the Civil
Auditor for report.
CJ Meade

Fort St. Geo.
1st November 1860

3 Copies to the Civil Auditor. Circ 2 ps

With Returned to the Revd
Mr Richards with
Order No 2177/60.

No 21 & 22.