M.R.O. 14—10,000—21-4-32.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 2239 Press ~~Mis.~~

236.237

Dated 20 - 10 - 1862.

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department, 20th October 1862.

No. 236. Read the following Endorsement of the Secretary to the Government of India, Fort William, Financial Department, dated 18th September 1862, No. 510G :—

Read the following letter from J. GEOGHEGAN, Esq., Under Secretary to the Government of Bengal (Revenue), to the Secretary to the Government of India, Financial Department, dated Fort William, 26th August 1862, No. 1,704.

SIR,

1. I am directed to forward herewith, for the favorable consideration and orders of His Excellency the Governor General in Council, the accompanying copy of a letter No. 221, dated 15th instant, from the Board of Revenue, submitting a Form of Certificate which they propose to adopt for the purpose of securing Government from loss by the refund of Income Tax to persons having property in one place and claiming to be assessed in another.

2. I am to add that at present refunds are made by the Income Tax Commission on the authority of Certificates granted by District authorities or from other Presidencies, without there being any means of ascertaining whether persons claiming exemption from assessment here have been correctly assessed for their Calcutta business, at those places, and that the adoption of the Form in question would tend to reduce to exactness what is now done in an irregular and informal manner. Extracts from the papers noted in the margin will at once show the importance of having one Form of Certificate in general use.

Income-Tax Commission's letter No. 977, dated 20th June 1862, paragraphs 3 to end.
Mr. Grote's Minute, dated 9th April 1862.

From H. L. DAMPIER, Esq., for Officiating Junior Secretary to the Board of Revenue, to the Officiating Secretary to the Government of Bengal,—(No. 221, dated the 15th August 1862.)

SIR,

With reference to the Under Secretary's letter No. 935, dated 30th June last, I am directed to submit a Form of Certificate, which the Board propose for adoption in the case of Firms which have branches and correspondents at places different from that in which the Firm is assessed to Income Tax.

Income Tax Commission, No. 9, Hastings' Street.
Calcutta, the 186 .

CERTIFIED that the Firm of , claiming to have branches and correspondents at the places noted in the margin, have made Returns for their whole business at , where the Accounts of the said Firm, which bear out these Returns, are said to be made up, and that the said Returns have been assessed at , accordingly for the profits of the said Firm for 1861-62, including its branches, subject to such revision hereafter as the enquiries of other Assessors may render necessary.

Name of place.	Designation of Branch Firm.	Name of Agent or Manager of ditto

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Extract from a letter from JAMES MACKENZIE, Esq., Officiating Secretary, Income Tax Commission, to the Secretary to the Government of Bengal, No. 977, dated the 20th June 1862.

Paragraph. 3. With regard to the second, I am further directed to suggest that the attention of the Government of India might be drawn to the advisability of prescribing a Form of Certificate, for use in all the Presidencies, which would ensure that sources of income at places other than those in which persons are chargeable with duty under Rules 34 and 36, Section XCVIII., should be first tested and reported on by the Assessor at those places. At present this Commission, without any previous reference to it, are obliged to admit Certificates from District Authorities and other Presidencies, without question as to the correctness of the amount at which parties have been assessed there for their Calcutta business, and they have frequently

ben called upon to refund large sums of money for which the parties seem justly liable. Nothing is known by this Officer of the steps taken elsewhere to verify the statements on which Certificate has been granted, and on the strength of which the alleged Calcutta Servant or Agent for the Firm obtains a refund from the Commission of duty assessed and levied here.

Under existing practice, such Certificates have been admitted by the Commission without question, as it would be obviously inexpedient for one Presidency to repudiate a document which had been given as a sufficient one for a specific purpose in another.

4. In illustration of the extent to which refund have been granted from this Office on Certificates of Assessments made elsewhere, I am directed to forward the annexed Certificate from the Bombay Income Tax Commission the parties in question were assessed on their business at Calcutta at Rupees 480, and the amount accordingly paid. The Bombay authorities have assessed this Firm in all its sources of profits including the Calcutta business, but the amount of which it has been assessed is not stated. The sum assessed and paid here for Calcutta, without any further reference, was refunded.

5. Were the course now suggested to be adopted, it is probable the risk which is now run of loss of revenue by too ready a grant of Certificates would be obviated.

Extract from a Minute by A. GROTE, Esq., President of the Income Tax Commission, dated the 9th April 1862.

I fear that many cases of double assessments have occurred, and that the relief contemplated by the Act—for it was known that such cases were unavoidable—has not been so promptly given as it should have been. Sufficient attention has not been paid by Assessors to the calls made on them from other Districts. Parties having property in more than one District may claim to pay their tax when assessed wherever it is convenient to them; but it has been ruled both at the Presidency and in the Lower Provinces that the assessment process should be invariably conducted either by, or on reference to, the Assessor of the District to which the property or income to be assessed belongs. In the Presidency no Assessor has even assessed property out of his own Division. Where such property has been returned to an Assessor, and is within the Presidency jurisdiction, he has extracted it from the Returns, and given a Memorandum of it to the Assessor of the Division, whose business it is to assess it. Where property beyond the Presidency jurisdiction has been similarly returned, the Assessor has sent a printed Memorandum to the District or other Officer who should assess such property; but in very few cases have this Memoranda been replied to. Some general instructions on this point for promoting communications between the assessing Officers of the different Districts and Presidencies appear to me necessary.

The following Statement will show the extent to which refunds have had to be made under this Commission. I have arranged them under eight different heads:

	No.	Amount. RS.	A.	P.
Refund Certificates on account of claims of exemption under Section CXVI. ...	359	6,895	4	3
Ditto ditto of admitted double assessments ...	213	11,611	4	3
Ditto ditto of claims of reduction of assessment under Section CXVII.	72	642	7	6
Ditto ditto of assessments discharged and revised on appeal ...	510	55,136	5	3
Ditto ditto of collections made from the wrong person. ...	152	8,294	2	10
Ditto ditto of duty realized by *ex officio* Assessors ...	25	591	1	0
Ditto ditto of claim of exemption admitted under Section CXXXIII.	5	103	7	0
Ditto ditto of claims for deduction of Insurance Premiums, &c., under Section CXXXIV. ...	4	161	8	0
Total ...	1,340	76,435	15	1

The following will show what remain for realization on the 31st ultimo of the total assessments of 1860-61:—

	RS.	A.	P.	
Total amount assessed	19,33,775	12	5	
Deduct abatements of assessments on revision ...	2,73,668	13	2	
Remainder ...	16,60,106	15	3	
Add for increased assessment on revision ...	1,754	0	0	
Total ...	16,61,860	15	3	
Total realized ...	15,50,607	3	3	
Less advance payments ...	13,881	1	3	
Remainder ...	15,36,726	2	0	Including 2,34,495 under Special Commissioner's Certificate.
Remainder under realization ...	1,25,134	13	3	

I fear that a good deal of this will prove irrecoverable. The balances are heaviest in the Second and Fourth Town Divisions in the Suburbs, and it must be expected that many of the parties recently assessed for last year will be found to have got out of reach.

(True Copies.)

(Signed) J. H. CASHMAN,
Offg. Register Bengal Secretariat.

(True Copies.)

(Signed) E. DRUMMOND,
Secretary to the Government of India.

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1. His Excellency the Governor General in Council approves of the Form of Certificate prescribed by the Board, and is pleased to direct that it be adopted generally.

2. Copy forwarded to the Bengal Government for information and guidance.

3. Copy also sent to the several Local Governments and Administrations for information and guidance.

By order of His Excellency the Governor General in Council,

(Signed) E. DRUMMOND,
Secretary to the Government of India.

No. 237. ORDER THEREON, 20th October 1862, No. 2,239.

Ordered to be communicated to the Board of Revenue and the Income Tax Commissioners for their information and guidance.

(Signed) T. PYCROFT,
Chief Secretary.

No. 2239

Ordered to be communi-
cated to the Board of Revenue and the
Income Tax Commissioners for their
information and guidance

J. Montague
20th Oct 62

By Board of Revenue Secd 20th

Income Tax Commissioners.

No. 1704.

FROM J. GEOGHEGAN, ESQ.,

Under-Secretary to the Government of Bengal,

TO THE SECRETARY TO THE GOVERNMENT OF INDIA,

FINANCIAL DEPARTMENT.

Fort William, the 26th August 1862.

Revenue.

SIR,

I AM directed to forward herewith, for the favorable consideration and orders of His Excellency the Governor General in Council, the accompanying copy of a letter No. 221, dated 15th instant, from the Board of Revenue, submitting a Form of Certificate which they propose to adopt for the purpose of securing Government from loss by the refund of Income Tax to persons having property in one place and claiming to be assessed in another.

2. I am to add that at present refunds are made by the Income Tax Commission on the authority of Certificates granted by District Authorities or from other Presidencies, without there being any means of ascertaining whether persons claiming exemption from assessment here have been correctly assessed for their Calcutta business, at those places, and that the adoption of the Form in question would tend to reduce to exactness what is now done in an irregular and informal manner. Extracts from the papers noted in the margin will at once shew the importance of having one Form of Certificate in general use.

Income Tax Commission's letter No. 977, dated 20th June 1862, paragraphs 3 to end.
Mr. Grote's Minute dated 9th April 1862.

I have the honor to be,

SIR,

Your most obedient Servant,

J. GEOGHEGAN,

Under-Secretary to the Government of Bengal.

No. 3104
Fort William
Financial Department
The 18th September 1862

[Exd. J. H. Mendies.]

His Excellency the Governor General in Council approves of the Form of Certificate prescribed by the Board, and is pleased to direct that it be adopted generally.

Copy forwarded to the Bengal Government for information and guidance.

Copy also sent to the several Local Governments and Administrations for information and guidance.

By order of His Excellency the Governor General in Council

Secretary to the Govt. of India

ten= 1862 Nov.r
Pro: of Govt for October
Endorsement to
the Govt to the Court of
Indian
Dated 18th Nov.r 1862
Received 11th Oct.r 1862.
E-2
Approving of the
form of Certificate prescribed by the Revenue Board of
Bengal Govt for the purpose
of securing Govt from loss
by the refund of Income
Tax to persons having pro-
perty in one place & claim-
-ing to be assessed in
another, and directing its
adoption generally.
No 2236 & 2240.
No 2239. 20 Oct.r
Noted on Order