

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No.	1350	Press Mis.
334-35 Dated	20-8-1870	19

Not to be folded or roughly handled

221

*Proceedings of the Madras Government, Revenue Department,
20th August 1870.*

No. 334. Read the following Endorsement from the Secretary to Government, Military Department, dated Ootacamund, 20th July 1870 :—

Read the following letter from Lieutenant-Colonel, C. H. DRURY, Controller of Military Accounts, to the Secretary to Government, Military Department, Ootacamund, dated Fort Saint George, 15th July 1870 D.

I HAVE the honour to submit, for the orders of Government, letter from Mrs. Eliza Ansley, widow of the late Lieutenant-Colonel Ansley, deprecating the recovery of Income-tax from the amount granted to herself and children by the Military Fund as passage-money to England.

2. The deduction has been made by the Secretary, Military Fund, under the authority conveyed by Clause 6, Part II. of Act No. XVI. of 1870, no exemption being allowed by the Act in favour of disbursements made by the Military Funds.

3. Mrs. Ansley points out the hardship with which the incidence of the tax is attended in such a case as hers; and she compares her position with that of an officer to whom travelling allowance is granted, from which no deduction is made on account of Income-tax.

4. Neither is this tax levied on the passage-money allowance of officers returning to England.

5. It would appear therefore that casual grants made by the State to officers for some specific purpose (for which the amount granted is understood simply to suffice) are not liable to be treated as forming a portion of "income," or as coming within the category of "Salary, Annuity, or Pension" incident to taxation.

6. And if this be allowed, Government may be disposed to consider that the amount granted as passage-money by the Military Fund to widows and orphans from funds contributed by parents and husbands from their personal incomes, should similarly be exempt from tax.

ENCLOSURE No 1.

From Mrs. ELIZA ANSLEY, widow of the late Lieutenant-Colonel J. C. ANSLEY, of the Madras Army, to the Controller of Military Accounts, Fort Saint George, dated Bangalore, 13th July 1870.

THE office of the Madras Military Fund being now under your control, I beg to lay the following before you with a view of your affording me relief, or if you are unable to do so yourself, I should feel obliged if you would submit my case for the orders of Government thereon :—

2. My husband, the late Lieutenant-Colonel J. C. Ansley, died on the 28th of last month, and passage-money to England for myself and three children was drawn from the Military Fund Office on the 5th instant. The Order on the Madras Bank given me by the Secretary was written on as follows :—"subject to a discount of 70 Rupees on account of Income-tax."

3. It is of *this* I complain. Independently of the extreme hard-ship of so large a sum being deducted from an allowance which is barely sufficient for the purpose for which it is designed, I cannot but think "that Passage-money" can hardly be called "Income." It is a specific sum granted for a specific end, analogous to all "Allowances for specific purposes," which are *not* taxed. I am informed that travelling allowance to officers in the service is not subject to any deduction on account of Income-tax, and I would submit that travelling allowance to myself and children comes under the same category. Again, had the money been lodged in my name in the

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hands of a Banker or Agent to provide me with passage, instead of being entrusted to the Military Fund for a like purpose, no Income-tax would have been levied or leviable.

4. The arguments against what I cannot but call an unjust impost will readily suggest themselves to your mind, and, in the name of all those who are left in my bereaved state, with possibly no one to assist them or advise them, I would ask for justice.

5. I feel assured that if you are not in a position to reverse the Order of the Secretary of the Military Fund, depriving me of so large an amount of my passage-money, you will carry my case to Government with your recommendation that the tax should be remitted.

REFERRED to the Revenue Department.

(Signed) A. T. WILDE, Major-General,
Secretary to Government, M. D.

No. 335. ORDER THEREON, 20th August 1870, No. 1,300.

Miscellaneous.

THE foregoing letter and its enclosure will be submitted for the consideration and orders of the Government of India.

2. Ordered accordingly that the following letter be despatched:—

(Here enter dated 20th August 1870, No. 1,301.

(True Extract.)

(Signed) H. E. STOKES,
Under-Secretary to Government.

To the Military Department.

Ed. F. R. Bantleman.

Free 3

The Lt Amble the Gov.
in Council reports that
his unable to comply with
the application forwarded
by the Controller of Military
Accts, as the Govt of India
have ruled in their resolution
in the Financial Dept dated
4 Apr 1861 No 3783. That
"Equipment Allowance" and
"Passage Money" granted by
the Civil, Military, Medical
or Apothecaries Funds shall
be held liable to Income
Tax.

MS

from a reference
it will result in
possible decision
it would try it -
leading "and winter."
indian" for under
S. D. Khan

MS
S. D.

This seems a very hard case.
Passage money is neither salary
annuity nor Pension, nor is it
"income" or "profits". I don't see
therefore how it can be taxed under
14. old Act or how it is taxable under
the new Act, but I suppose we
The order, as the working
+ same

MS:
I don't try it.
Hardy signature
MS

Govt. of India

REVENUE.

THE MILITARY DEPARTMENT.

Dated August, 1861.

Recd. G. O. No. 1870, No 1300

AUGUST.
Nos. 334-336.

Receipt of passage money granted by
the Military Fund to Mrs. M. Ambly for
Accountant - Letter from Controller of Military
Accounts regarding - ordered to be submitted
the orders of the Supreme Government.

Book

1943

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No 1300

The foregoing letter & its enclosure
will be submitted for the Consi-
deration and orders of the
Govt of India.

Ordered accordingly that the
following letter be despatched:-
(Here enter:

[Signature]
20th Aug 1900

7th Lt Col: Military Dept. Sept 11 1900

CLP

C. 2nd Aug 1900 / 11th Sept 1900