

Revenue (1897) Department.

PRESS SERIES.

G.O., No. 581

Dated 16th July 1897.

[Despatch Abstract.]

Income-tax Establishments.

Commg. with remarks, to the Board of Revenue and to the Accountant General letter from the Government of India stating that there is no objection to declaring — in the Madras Presidency, to be permanent.

[illegible][illegible]

CURRENT No. 5569

From

The Govt. of India,
H. & C. Dept.

No. 2825-P.

For Orders

as to whether all the Income Tax establishments in the Pres^y that are entertained from year to year may now be declared permanent the proposal emanated from the Govt and not the Board and it seems doubtful therefore whether the Board should now be consulted. A proposition statement will apparently have to be called for in any case.

Dated 28th June 1897

Received

Registered

Enclosures

Spare copies

SUBJECT.

Reg. the delegation of power to the Madras Govt. to declare the Income-tax Establt. in the Presy. to be permanent.

Note The person referred to in the
last sentence of p 10 No 233
has been excluded
2-4-57
2-4-57

2000/01/27

BACK PAPERS.

G.O.	No.	Department.	Date.
	234	Rev	2 - 77

FURTHER PAPERS.

G.O.	No.	Department.	Date.
COO	4239/98.		

No. 2825-1.

GOVERNMENT OF INDIA.

FINANCE AND COMMERCE DEPARTMENT.

Simla, the 28th June 1897.



3/0

The Secretary to the Government of Madras.

Sir,

Placed A

Placed B

I am directed to acknowledge the receipt of your letter No. 234 (Revenue), dated 2nd April 1897, requesting that power may be delegated to the Government of Madras to declare the income tax establishments in the Madras Presidency to be permanent. 2. In reply I am to say that there is no objection, with reference to the Resolution in this Department No. 5491, dated 26th October 1889, to income tax establishments being declared to be permanent and pensionable in the same way as other establishments permanently sanctioned.

The

The orders conveyed in this Department's
Letter No. 3361, dated 10th July 1890, to which
you refer, were intended to mean that
the Government of India did not
guarantee all income tax establishments
against being abolished if occasion
arose.

I have the honour to be,
Sir,
Yours most obedient servant.
R. G. S. G. S.
Under Secretary to the Govt. of India.

D 1,000-20-2-96.

The character of muselman establishments.

REVENUE DEPARTMENT.

581
16-7-97

C No. 5568

From the Govt of India

Mr. Hon. Secy. to Govt. of India.

Dated 28. June 1897.

Mr. Hon. Secy. to Govt. of India.

FOR ORDERS.

File B.

In 1889 at the instance of the Govt of Bengal
the Govt of India was pleased to declare
that service on the income tax
establishment is permanent &
pensionable.

In 1890 the Board (Sir H. Blair)
set out the inconvenience that
was caused by the muselman
establishment being considered
temporary. The Bd said "the main
" grievance has been partly set right
" by the declaration that service
" on the income tax establishment
" is to be treated as permanent.
" Service & count towards pension,
" but there is still the feeling
" that at any moment the
" Establishment may be abolished
" & thus no doubt unsettles the
" minds of the clerks who hold
" their appointments. The only
" remedy to this state of things

+ It would appear that
these words were written
under the impression that
if the act were abolished
the clerks men on the
establishment could be
dispensed with without
pension after notice.
But that their service
having been declared
permanent & pensionable
this could not be. They would
have to be found other
employment or given
compensation pension.

14/7/97

FOR ORDERS.

that the Board can see it is a declaration
that the income tax establishment
is a permanent establishment."

The Board went on to suggest
that Govt had misinterpreted
the Govt of India's declaration
of above quoted.

The Govt in reply states
that it construed the Govt of
India's resolution to mean
that service rendered in an
income tax establishment should
be treated as qualifying for
pension & not that the establish-
ment itself should be treated
as permanent. In deference to
the Board the Govt referred
the question to India who
replied that the Govt was
right.

G.O. in File 7492 D.

Flay C.

It is not quite clear what
meaning the Govt attached to the
distinction it drew. From the
pencil marginal note of the
Hon Secy Mr. Gallon on the B.P.
flay D it would appear
that he notes the point that
declaring the establishments
"permanent" would not
guarantee them against

reduction or abolition should
the interests of the public
service so demand. As
for the men their service
had already been declared
permanent & pensionable
& therefore they could not
be turned out without
compensation pensions
any more than any other
Govt servants.

The question came up
again & in accordance with
the Hon Secy Mr. Gallon's note
flayed E another reference
was made to India (Flay A)
India's reply is now submitted.
It would appear with reference
that by their order (Flay C)
India meant only that
they did not guarantee
the establishments ^{against} ~~from~~
being abolished.

It is submitted that
no establishment can be
guaranteed against abolition
and that it is not obvious
what advantage men
on income tax establishments
would obtain by these

establishments being
declared permanent in
any other sense. The new
own services are permanent
Duesumath & they are
thus guaranteed as much
as any other Govt. office
against being dispensed
with without compensation.

Ull
13/7/97

If these appls are permanent as
stated by India it seems to me
that what makes them appear
temporary is that Special sanction
of Govt has to be obtained by the
B. annually at their continuance.
Is it His intention that this
practice be the attend. 2. Some of
but many of these appls are
sanctioned only for six months
& then even shorter periods. I
presume such appls are not in
substance in this matter.

13/7/97

I don't see the use of this annual
sanction in the case of ests which are
permanently kept on - They should be
reported as permanent in the same way as
other ests - BP
14/7/97

But not these, of course - These are actually
temporary ests. BP
14/7/97

Secy (from orders)

16/7/97

Read again G.O. No 255 of 28/4/97
Read also 5569 of 97A

Sup. Rev. No 61

Order No 587 of 16th July 1897.

Communicated to
the Board of Rev. and to the
Acct General

2 The Board will be
requested to submit a report
with the necessary proposition
Statement showing the perma-
nent establishments that are
required for the working of the
Income Tax Act in view to their
entertainment being sanctioned
once for all instead of, as now,
from year to year. Proposals
for the entertainment of temp
establishments i.e. such as are
required for a year, ^{definite periods} portions of
a year or a few years should, as
now, ~~usually~~ be separately submitted
for the orders of Govt. at the
beginning of ^{each} year or when
necessary.

3. It is observed that
the orders now issued have re-
ceived a formal reply to the
question raised in para 2 of B.
no 305 of 28th Jan 1897

unnecessary

Government {1897} of Madras.
REVENUE.

Recd.

Regd.

} 1897.

Enclosures

Spare copies

G.O., No. 581, 16th July 1897.

JULY.

Income-tax Establishments

Communicating, with remarks, to the Board of Revenue and to the Accountant-General letter from the Government of India stating that there is no objection to declaring the — in the Madras Presidency to be permanent.

No. 581, REVENUE, 16TH JULY 1897.

GOVERNMENT OF MADRAS.

REVENUE DEPARTMENT.

READ—again G.O., No. 233, Revenue, dated 2nd April 1897.

ABSTRACT—Resolving to address the Government of India in view to the delegation to this Government of the power to declare permanent such portion of the income-tax establishment as it may be thought undesirable to retain on a temporary footing.

READ—also the following letter from R. A. GAMBLE, Esq., Under Secretary to the Government of India, Finance and Commerce Department, to the Secretary to the Government of Madras, Revenue Department, dated Simla, the 28th June 1897, No. 2825-P:—

I am directed to acknowledge the receipt of your letter No. 234 (Revenue), dated 2nd April 1897, requesting that power may be delegated to the Government of Madras to declare the income-tax establishments in the Madras Presidency to be permanent.

2. In reply I am to say that there is no objection, with reference to the Resolution in this Department, No. 5491, dated 26th October 1889, to income-tax establishments being declared to be permanent and pensionable in the same way as other establishments permanently sanctioned. The orders conveyed in this department's letter, No. 3361, dated 10th July 1890, to which you refer, were intended to mean that the Government of India did not guarantee all income-tax establishments against being abolished if occasion arose.

ORDER -No. 581, Revenue, dated 16th July 1897.

Separate Revenue No. 61.

Communicated to the Board of Revenue and to the Accountant-General.

2. The Board will be requested to submit a report with the necessary proposition statement showing the permanent establishments that are required for the working of the Income-tax Act in view to their entertainment being sanctioned once for all instead of, as now, from year to year. Proposals for the entertainment of temporary establishments, i.e., such as are required for definite periods, should as now be separately submitted for the orders of Government at the beginning of each year or when necessary.

(True Extract.)

(Signed) G. STOKES,
Ag. Secretary to Government.

To the Board of Revenue (Separate Revenue).
,, the Accountant-General.

Copy to the Financial Department,
with copy of G.O., No. 233, dated 2nd April 1897.

Exd. Shaik Karim.

50 Copies.

Returned for signature.

Is spached in print.

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N.B.—

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